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GENERAL ASSEMBLY
Forty-ninth session
Items 64 and 65 of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT
REVIEW AND IMPLEMENTATION OF THE CONCLUDING
DOCUMENT OF THE TWELFTH SPECIAL SESSION
OF THE GENERAL ASSEMBLY

SECURITY COUNCIL
Forty-ninth year

Letter dated 10 May 1994 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to forward to you herewith the aide-mémoire of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea dated 30 April 1994.

I should be grateful if you would have the aide-mémoire circulated as a document of the General Assembly, under items 64 and 65 of the preliminary list, and of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

* A/49/50/Rev.1.

Annex

AIDE-MÉMOIRE OF THE MINISTRY OF FOREIGN AFFAIRS OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA DATED 30 APRIL 1994

(A new peace arrangement should be established to substitute for the armistice arrangement on the Korean peninsula)

It is going to be 41 years since guns ceased roaring on the Korean peninsula and the Korean Armistice Agreement was signed.

While an uncertain no-peace, no-war situation has lasted for four decades in the cease-fire setting, tensions in Korea have persisted unabated and the danger of war has snowballed with the passage of days.

In recent months alone, the United States has shipped its up-to-date military hardware, including Patriot missile batteries, into south Korea, massively deployed its supercolossal aircraft carriers and a number of other warships around the waters of the Democratic People's Republic of Korea and, on the other hand, conducted joint war manoeuvres one after another along with south Korea. These moves have led to a touch-and-go situation today in which a nuclear war might break out at any moment on the Korean peninsula. The current developments highlight the urgent need for effective and decisive steps to be taken to obviate the danger of war and establish a new security arrangement in Korea.

I. THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA HAS WORKED HARD TO CONVERT THE CEASE-FIRE ARRANGEMENT INTO A DURABLE PEACE

The Korean Armistice Agreement, 1/ signed on 27 July 1953, is simply a provisional arrangement that presupposes a follow-up process in which the two belligerent sides should disengage themselves from military actions and should work to replace the truce with a peace agreement.

Paragraph 60 of article IV of the Korean Armistice Agreement provides that: "In order to ensure the peaceful settlement of the Korean question, the military Commanders of both sides hereby recommend to the Governments of the countries concerned on both sides that, within three (3) months after the Armistice Agreement is signed and becomes effective, a political conference of a higher level of both sides be held by representatives appointed respectively to settle through negotiation the questions of the withdrawal of all foreign forces from Korea, the peaceful settlement of the Korean question, etc."

The Government of the Democratic People's Republic of Korea has done all it could to the best of its abilities faithfully to implement the Armistice Agreement and convert the cease-fire arrangement into a durable peace.

At the talks between the two signatories to the Armistice Agreement that began in October 1953 in Panmunjom to deal with a Korean political conference, the Government of the Democratic People's Republic of Korea submitted all-

inclusive proposals with respect to the classification of the participants, agenda items and even a press release of the conference, and made patient efforts to bring the conference about. The talks, however, were broken off on 12 December 1953, when the United States walked out of the twenty-third round of talks after persistently repeating its own unreasonable assertions.

It was thanks to the persevering efforts by the Government of the Democratic People's Republic of Korea that the conference of foreign ministers from the countries concerned with a peaceful coordination of the Korean question took place in April 1954 in Geneva.

At this conference, the Government of the Democratic People's Republic of Korea proposed that a unified Government be established through all-Korea democratic elections and all the foreign forces be withdrawn from Korea within six months thereafter, and did its level best to bring about a consensus on this proposal.

The United States, however, insisted illogically that "elections" should be held in accordance with south Korea's "constitutional procedures" and in the presence of the United Nations, a belligerent party vis-à-vis the Democratic People's Republic of Korea, and that the United States troops should not withdraw until a Government of "unified Korea" is established. Later, the United States issued a unilateral declaration on suspending the Geneva conference and eventually wrecked the conference.

The sincere efforts by the Government of the Democratic People's Republic of Korea continued afterwards, though, to fulfil its obligations as a signatory to the Armistice Agreement.

The Government of the Democratic People's Republic of Korea demobilized 80,000 servicemen in 1956 and took measures, with the consent of the Government of the People's Republic of China, to have the Chinese People's Volunteers withdrawn in 1958.

In the early 1970s, the United States and the south Korean authorities derailed the effortfully arranged north-south high-level talks and betrayed themselves in pursuing the "two Koreas" policy. In this situation, however, the Democratic People's Republic of Korea proposed in March 1974 that the Democratic People's Republic of Korea and the United States hold bilateral talks at which to discuss ways to defuse military confrontation and to conclude a peace agreement, and moved further by addressing to the Congress of the United States a draft of the peace agreement intended for discussion at the proposed talks.

The proposal from the Democratic People's Republic of Korea has been confirmed to be just and reasonable by a resolution of the United Nations. Echoing this proposal, the thirtieth session of the United Nations General Assembly adopted resolution 3390 B (XXX) in November 1975, calling for the dissolution of the "United Nations Command" in south Korea, the replacement of the Armistice Agreement with a peace agreement and the withdrawal of all the foreign troops from south Korea. Pressed so hard by the strong world public, the United States, too, had no choice but to include in its draft resolution submitted to the thirtieth session of the General Assembly the need to bring

together all the parties directly concerned to negotiate a new arrangement, that would substitute for the Armistice Agreement and help to de-escalate tensions and establish a lasting peace.

Later, the United States indicated its willingness to move towards defusing tensions on the Korean peninsula through tripartite talks involving the United States and the Democratic People's Republic of Korea and also south Korea, instead of the proposed bilateral talks between the Democratic People's Republic of Korea and the United States. Taking into consideration the position expressed by the United States and south Korea, the Democratic People's Republic of Korea formally announced an epoch-making proposal in January 1984 to open tripartite talks by including the south Korean authorities on an equal footing in the proposed bilateral talks between the Democratic People's Republic of Korea and the United States, at which the Democratic People's Republic of Korea and the United States were to sign a peace agreement on a bilateral basis, on the one hand, and the north and the south were to adopt a non-aggression declaration, on the other hand.

At the annual session of the General Assembly in October 1993, the Democratic People's Republic of Korea told the Assembly that it was high time for an innovative decision to be made for dissolving the "United Nations Command" in south Korea and replacing the Armistice Agreement with a peace agreement, and proposed that negotiations be held among the parties concerned, with a view to establishing a new peace arrangement that will substitute for the existing truce arrangement.

Most recently, through the statement of its Ministry of Foreign Affairs dated 28 April this year (see S/1994/513), the Government of the Democratic People's Republic of Korea proposed to the United States that the two countries hold negotiations for establishing a new peace arrangement that will help to guarantee peace reliably on a practical basis, stressing an urgent need to turn the Armistice Agreement into a peace agreement, as the present cease-fire arrangement is no longer in a position to prevent either an arms build-up or the military threat or war on the Korean peninsula.

Far from accepting all these just proposals from the Democratic People's Republic of Korea, the United States has continued to violate the Armistice Agreement by stepping up its military build-up and frequently staging large-scale military exercises.

II. THE ARMISTICE AGREEMENT AND TRUCE MECHANISM HAVE BEEN PARALYSED AND TURNED INTO WORTHLESS INSTRUMENTS

The United States, a real party to the Armistice Agreement, has systematically violated the provisions of this Agreement over the last 40 years.

Having signed the Armistice Agreement on 27 July 1953, the United States concluded the "United States of America-Republic of Korea Mutual Defense Assistance Treaty" in October of the same year with the south Korean authorities in violation of the provisions of the Agreement in an effort to legalize the United States military presence in south Korea.

On 7 November 1955, the United States side shot down a helicopter flying to Kimpo airport on a regular inspection mission of the Neutral Nations Supervisory Commission, killing three Polish delegates of the Commission aboard the helicopter.

On 9 June 1956, the United States forced the Neutral Nations Inspection Teams to withdraw from the designated ports of entry in the United Nations Command-controlled area where the Teams had been stationed in accordance with section C of article II of the Armistice Agreement, because the Teams were observing and reporting the violations of the Agreement by the United States.

It was since then that the Neutral Nations Supervisory Commission was not able to carry out its missions mandated by the Armistice Agreement.

On 21 June 1957, following the expulsion of the on-site Inspection Teams, the United States declared unilateral non-compliance with subparagraph 13 (d) of the Armistice Agreement, which ruled out the introduction into Korea of the reinforcing operational matériel.

Subparagraph 13 (d) of the Armistice Agreement stipulated that the opposing sides "cease the introduction into Korea of reinforcing combat aircraft, armoured vehicles, weapons and ammunition". This is how the United States paved the way for the legal and administrative basis on which it could proceed with its unbridled arms build-up in south Korea. The United States has since introduced into south Korea a massive quantity of sophisticated weapons, including 1,000 nuclear weapons without any restrictions.

It is none other than the United States that is responsible for the "USS Pueblo incident", the "EC-121 spyplane incident" and the "Panmunjom incident" - incidents that precipitated the situation on the Korean peninsula to the brink of war, thus focusing world attention on the peninsula. To make matters worse, on 25 March 1991, the United States unilaterally designated a south Korean army "general" as the chief delegate of the United Nations Forces to the Military Armistice Commission, despite his apparent disqualification because of the legal irrelevance of his designation to the Armistice Agreement.

This is an open perfidy of paralysing the military armistice mechanism and ignoring and ridiculing the other signatory of the Armistice Agreement. In response to this, the Democratic People's Republic of Korea had no choice but to recall its chief delegate to the Military Armistice Commission.

Such irresponsible behaviour on the part of the United States has only invalidated the provisions of the Armistice Agreement essential for preventing the recurrence of war and put the Agreement-implementing bodies out of operation. Consequently, the Military Armistice Commission has turned into a nominal body in which its legitimate component parties ceased to exist, and the Armistice Agreement has been reduced to blank sheets of paper incapable of helping to ensure peace on the Korean peninsula.

The present-day reality is that both the arms build-up and the recurrence of war cannot be prevented by the obsolete armistice mechanism, which has turned out to be a tool of the cold-war policy.

III. THE STATE OF CEASE-FIRE SHOULD TURN INTO A STATE OF LASTING PEACE

The continued accountability of the Democratic People's Republic of Korea and the United States to the Armistice Agreement and the absence of a new security arrangement for practically guaranteeing peace are responsible for the uncertainty of situation that has continued on the Korean peninsula since the end of the Korean war. In other words, the uncertainty of situation remains in place because the cold-war structure has failed to give way to the structure of rapprochement on the Korean peninsula.

It is a matter of common knowledge that the Armistice Agreement has established the relations between the Democratic People's Republic of Korea and the United States - the real parties to the Agreement - as hostile relations.

In order for the Democratic People's Republic of Korea and the United States to create new peaceful relations replacing such hostile relations, it is essential to terminate the cease-fire arrangement, which is the typical legacy of the cold-war era, and develop a new peace arrangement. This will help to eliminate the threat of an alleged "southward invasion" and a perceived "northward invasion" and to establish new relations of both rapprochement and mutual confidence between the Democratic People's Republic of Korea and the United States, relations that will dissipate confrontation and mistrust.

The Democratic People's Republic of Korea has already recommended the United States more than once through channels of contacts to consider instituting a new security arrangement, rather than maintaining the status quo of the armistice arrangement or reviving the inoperative cease-fire mechanism. The United States has, however, refused to accept favourably the credible proposals and initiatives of the Democratic People's Republic of Korea.

An intention to maintain the state of cease-fire even in the present post-cold-war era will be understood to be the intention to continue the cold-war policy on the Korean peninsula. It will also be regarded as the intention to move towards confrontation and war, instead of peace and stability.

In the final analysis, the long-standing hostile relations between the Democratic People's Republic of Korea and the United States have spawned crucial issues, including the nuclear issue, on the Korean peninsula, plunging efforts to resolve the issues into an impasse.

If the two countries had already ceased to be hostile to each other and normalized their relations, they would never have found themselves faced with those issues at all, and even if certain issues might have occurred, they could have resolved those issues, if any, without difficulty in an atmosphere of confidence. After all, the nuclear issue on the Korean peninsula, too, will be resolved smoothly only when it is addressed in a package approach in the perspective of the overall relationship between the Democratic People's Republic of Korea and the United States.

The current situation on the Korean peninsula calls for an early termination of the armistice regime. There is no need for the Democratic

People's Republic of Korea and the United States to remain hostile nations, simply on the grounds that they once fought a war.

At the first round of bilateral talks in June 1993, the Democratic People's Republic of Korea and the United States agreed to the principles of non-aggression, an indication that the two countries have recognized the need to do so. Such being the case, there are no conditions that prevent the United States from legally terminating the state of cease-fire and improving its relations with the Democratic People's Republic of Korea.

There might be several approaches to terminating the state of cease-fire. One of the universally recognized practices is that a belligerent party takes the initiative to terminate belligerency. There are examples of countries having terminated their hostile relations that shaped up at the end of the Second World War. Egypt and Pakistan, for instance, declared unilaterally the termination of the state of war with Germany in 1951, and the former Soviet Union issued a decree of the Presidium of the Supreme Soviet in January 1955, declaring its decision to terminate the state of war with Germany.

In the event that the United States defiantly continues its reluctance to respond to the proposal of the Democratic People's Republic of Korea on terminating the state of cease-fire in favour of a new peace arrangement, the Democratic People's Republic of Korea will be left with no alternative but to adopt, at a time it considers appropriate, measures to renounce unilaterally its status as a signatory to the Armistice Agreement.

Notes

1/ Official Records of the Security Council, Eighth Year, Supplement for July, August and September 1953, document S/3079, appendix A.

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GENERAL ASSEMBLY
Forty-ninth session
Item 45 of the preliminary list*
COMMEMORATION OF THE FIFTIETH
ANNIVERSARY OF THE UNITED NATIONS
IN 1995

SECURITY COUNCIL
Forty-ninth year

Letter dated 10 May 1994 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the address to the United Nations made by the President of the Russian Federation, Mr. Boris N. Yeltsin, on the occasion of the fiftieth anniversary of the end of the Second World War.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 45 of the preliminary list, and of the Security Council.

(Signed) Y. VORONTSOV

* A/49/50/Rev.1.

ANNEX

Address to the United Nations made on 10 May 1994 by the President of the Russian Federation on the occasion of the fiftieth anniversary of the end of the Second World War

In 1995 all mankind will commemorate the fiftieth anniversary of the end of the Second World War. The defeat of nazism marked a great victory of the forces of good over the forces of evil. However, the price of victory was high. The war cost the lives of over 50 million human beings. Hundreds of thousands of cities and villages were wiped off the face of the earth. Hundreds of millions of people were left without shelter and sustenance.

There is not one family in Russia that would not have been scorched by the flames of war. Our pain and sorrow, the inconsolable grief of soldiers' widows, will never subside. Both the tragedy of war and the joy of victory will remain in our people's memory forever.

Even time is powerless to diminish the significance of the great victory achieved through the common efforts of the peoples of various nations. One of the major lessons of this victory is that the maintenance of peace calls for united, well-coordinated and vigorous actions on the part of all peace-loving forces. This is particularly important at the present time when the likelihood of armed confrontation between States persists, blood continues to be shed in civil, inter-ethnic and local conflicts, and the threat of the proliferation of weapons of mass destruction is growing.

Russia believes that it is in mankind's common interests to take active measures to enhance the role and effectiveness of the United Nations, which is the key element of the collective security system; this would be in keeping with the lofty goal of the Charter of the United Nations "to save succeeding generations from the scourge of war".

Our people, which bore the brunt of the Second World War and sacrificed tens of thousands of its sons and daughters on the altar of victory, consistently rejects the use of force as a means of settling disputes. We are convinced that there are no ends that can justify the unleashing of wars. The preservation of peace is the highest goal of our State.

The Russian Federation calls upon all States Members of the United Nations and their parliaments and Governments to do everything in their power to put an end to the existing armed conflicts and avert new ones.

In memory of the millions of people who perished in the flames of the Second World War, we propose that the fiftieth anniversary of the victory over nazism should be widely and solemnly observed under the auspices of the United Nations and that 1995 should be proclaimed "World Year of Peoples' Remembrance of the Victims of the Second World War".

May the fiftieth anniversary of that great victory give a new powerful impetus to the maintenance and strengthening of peace. Mankind must end the twentieth century and enter the new millennium with confidence in the future.

B. Yeltsin

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LETTER DATED 9 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a table giving the particulars of the accidental explosions resulting from the 875 bombs, missiles and other matériel left behind by the 30-Power aggression against Iraq and found and disposed of in all parts of the country between 1 and 30 April 1994.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Civil Defence Department	Number and type of ordnance found
Baghdad	Disposed of and removed: (a) 58-mm missile warhead (b) 2 defensive grenades (c) 1 attack grenade (d) 60-mm mortar shell (e) 2 RPG-7 missiles (f) 80-mm mortar shells (g) Set of RPG-7 missile bodies with 8 canisters for chemicals (h) 2 anti-personnel mines (i) 2 small tear-gas bombs
Basra	Disposed of and removed: 1. 23 mortar shells 2. 13 cluster bombs 3. 15 artillery shells 4. 14 sprinkler bombs 5. 9 RPG-7 launcher missiles 6. 4 attack hand grenades 7. 35 120-mm mortar shells 8. 16 82-mm mortar shells 9. 1 anti-tank mine 10. 5 hand grenade detonators 11. 11 100-mm artillery missile
Muthanna	Disposed of and removed: 1. 310 ribbon bombs 2. 185 small spherical bombs 3. 54 enhanced spherical bombs 4. 2 cluster bombs
Ta'mim	1. 75-mm artillery shell 2. 120-mm mortar shell
Anbar	Removed: 1 launcher missile
Wasit	1. 1 rocket 2. 2 anti-tank grenades without detonators 3. 2 mortar shells 4. 1 Faz missile
Ninawa	42 spherical bombs
Diyala	Removed: RPG-7 launcher missile charge

Dhi Qar	1. 2 cluster bombs 2. 1 attack hand grenade 3. 3 RPG-7 launcher missiles 4. 1 60-mm mortar shell 5. 3 aircraft missiles 6. 29 launcher missiles
Salah al-Din	Accidental explosion: BLU/52 cluster bomb, Makhul region, Biji district (death of one citizen)

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LETTER DATED 9 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that, during the period from 21 to 30 April 1994, United States aircraft continued to violate Iraqi national airspace for the purpose of observation and provocation.

21 April 1994

(a) Northern region: 27 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 78 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Jalibah, Busayyah, Qurnah, Qal'at Salih and Artawi.

22 April 1994

(a) Northern region: 2 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Zakho, Irbil and Aqrah.

(b) Southern region: 60 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Basra, Nasiriyah, Samawah, Qurnah, Busayyah, Jalibah, Artawi, Shatrah and Salman.

23 April 1994

Southern region: 26 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Samawah, Artawi, Nasiriyah, Salman, Qal'at Salih, Jabayish and Busayyah.

24 April 1994

(a) Northern region: 17 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 34 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Qurnah, Nasiriyah, Samawah, Busayyah, Jalibah and Artawi.

- At 1642 hours on 24 April 1994, a hostile two-aircraft formation broke the sound barrier over the town of Nasiriyah.

25 April 1994

(a) Northern region: 26 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Zakho, Dohuk, Amadiyah, Tall Afar and Ayn Zalah.

(b) Southern region: 2 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Jalibah, Jabayish and Artawi.

26 April 1994

(a) Northern region: 23 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 32 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Salman, Basra, Artawi, Qal'at Salih, Jalibah and Busayyah.

27 April 1994

Southern region: 75 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Basra, Qurnah, Qal'at Salih, Nasiriyah, Samawah, Jalibah and Busayyah.

- At 0904 hours on 27 April 1994, a United States TR-1 reconnaissance aircraft violated Iraqi airspace, flying at a speed of 600 km/h and at an altitude of 20,000 m over Samawah, Nasiriyah, the area south of Najaf, Qal'at Salih, Amarah and Basra. It departed at 1257 hours, heading in the direction of Kuwaiti airspace.

28 April 1994

(a) Northern region: 6 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Zakho, Dohuk, Aqrah, Rawandiz, Irbil, Amadiyah, Shaqlawah and Shirwan.

(b) Southern region: 58 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Basra, Qurnah, Qal'at Salih, Salman, Shatrah, Samawah, Nasiriyah, Busayyah, Jalibah and Artawi.

- At 1145 hours on 28 April 1994, a remote-controlled aircraft landed in the village of Birmanjah east of Mosul.

- At 1320 hours on 28 April 1994, aggressor aircraft dropped hostile leaflets on Ta'mim Governorate.

29 April 1994

Southern region: 28 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Salman, Artawi, Jalibah, Qurnah, Busayyah and Basra.

30 April 1994

Southern region: 38 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Qurnah, Amarah, Qal'at Salih, Basra, Jalibah, Busayyah and Basra.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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S/1994/560
11 May 1994

ORIGINAL: ENGLISH

LETTER DATED 9 MAY 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the letter of today's date from His Excellency Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIĆ
Ambassador
Chargé d'affaires a.i.

Annex

Notwithstanding the clear warnings about the North Atlantic Treaty Organization (NATO) air force's frequent violations of the airspace of the Federal Republic of Yugoslavia, of which I informed you in my previous letters and requested you to take appropriate measures to prevent the repetition of such violations, I am compelled to write to you again and inform you that NATO aeroplanes continue their dangerous and provocative violations of the airspace of the Federal Republic of Yugoslavia, which they did at the following times and locations:

On 24 April 1994, NATO aeroplanes violated the airspace of the Federal Republic of Yugoslavia on two occasions:

(a) At 10.47 a.m., a NATO plane entered the airspace of the Federal Republic of Yugoslavia in the region of Bijela Gora-Vilusi-Velimlje. This was a TR-1 reconnaissance plane, flying at an altitude of 19,000 metres at a speed of 950 kilometres an hour;

(b) At 4.50 p.m., a NATO fighter-bomber entered the airspace of the Federal Republic of Yugoslavia 10 kilometres inside the area of Lake Peruca, flying at an altitude of 6,000 metres at a speed of 800 kilometres an hour.

I also wish to draw your attention to the recurrent practice of NATO pilots of breaking the sound barrier above the rural and urban settlements in the Republic of Srpska, close to or above the territory of the Federal Republic of Yugoslavia, thus creating the so-called shock waves, obviously aimed at provoking and intimidating the civilian population.

The Government of the Federal Republic of Yugoslavia is deeply concerned over the continued systematic violations of the airspace of the Federal Republic of Yugoslavia and wishes to reiterate that NATO and the United Nations, under whose auspices NATO forces are acting in the former Bosnia-Herzegovina, are assuming enormous responsibility for all the consequences that may ensue.

Such a continued provocative behaviour of NATO is all the more unacceptable as reasoned warnings have repeatedly been given about this problem and particularly considering the fact that the United Nations has not taken appropriate steps towards the NATO Command.

As you understand, such encroachments against the airspace of the Federal Republic of Yugoslavia constitute a serious provocation and a dangerous threat to peace and security in the entire region, a flagrant violation of the territorial integrity and sovereignty of the Federal Republic of Yugoslavia and a direct threat to the peace process aimed at putting an end to the war in the former Bosnia-Herzegovina.

I believe you share my opinion that the most important thing at this moment is to solve this problem urgently. To that end, I call on you once again to take appropriate measures both within the United Nations and towards the NATO

Command in order to have these dangerous provocations discontinued. I would very much appreciate your positive attitude towards this problem, as well as early information about the measures you have taken in this regard.

Vladislav JOVANOVIC

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11 May 1994

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN EL SALVADOR

I. INTRODUCTION

1. The present report, which describes the activities of the United Nations Observer Mission in El Salvador (ONUSAL) for the period from 21 November 1993 to 30 April 1994, is submitted to the Security Council in compliance with resolution 888 (1993), in which the Council, in extending the mandate of ONUSAL until 31 May 1994, requested me to report by 1 May 1/ on the operations of the Mission so that the Council might review its size and scope for the period after 31 May 1994, taking into account my recommendations for the fulfilment and completion of its mandate. The report follows my report of 23 November 1993 (S/26790) on the overall implementation of the Peace Accords between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN).

2. With effect from 1 April 1994, I appointed Mr. Enrique ter Horst to serve as my Special Representative and Chief of Mission of ONUSAL as successor to Mr. Augusto Ramírez-Ocampo (see S/1994/288 and S/1994/289). I should like to take this opportunity to pay tribute to Mr. Ramírez-Ocampo's deep commitment to the cause of peace and reconciliation in El Salvador.

3. The work of ONUSAL during the period under review is described below in five sections devoted respectively to military matters; public security matters; the Commission on the Truth; economic and social matters; and the financial needs of post-conflict peace-building. The Mission's work in the area of human rights has continued to be the subject of a separate series of reports, the two most recent of which were submitted to the General Assembly and the Security Council as annexes to my notes of 18 January and 29 April 1994 (A/49/59-S/1994/47 and A/49/116-S/1994/385). Given the fact that the last report of ONUSAL on the question of human rights was issued only a few days ago, the present report does not contain a section devoted exclusively to that question. However, references are made whenever necessary to specific aspects of the work of the Division of Human Rights during the period. Since my report of 23 November, I have also submitted to the Security Council three reports and one progress report on the activities of the Electoral Division of ONUSAL (S/1994/179, S/1994/304, S/1994/375 and S/1994/486). I have also informed the

members of the Council from time to time of developments relating to specific aspects of implementation of the Peace Accords and I recently raised with them my continuing concerns regarding certain problems in that connection (see S/1994/361 and S/PRST/1994/15). These problems relate especially to public security matters, the recommendations of the Commission on the Truth, the land transfer programme and other programmes for the reintegration of ex-combatants into civilian life. These aspects of the Peace Accords are accordingly discussed in some detail in sections III, IV and V of the present report.

4. In my November report, I shared with the Security Council my grave concerns with regard to the assassination of several political leaders, a development that had given rise to apprehensions that illegal armed groups with political objectives - the so-called death squads - were re-emerging. In the light of the recommendation of the Commission on the Truth that a thorough investigation of private armed groups be undertaken, I instructed the Director of the Division of Human Rights of ONUSAL to assist the Government in implementing the Commission's recommendation (see S/26689), a decision that was subsequently endorsed by the Council (see S/26695).

5. Intensive negotiations with the Government and FMLN by Under-Secretary-General Marrack Goulding and Mr. Ramírez-Ocampo culminated in the establishment on 8 December 1993 of a Joint Group for the Investigation of Politically Motivated Illegal Armed Groups composed of the National Counsel for the Defence of Human Rights, the Director of the Division of Human Rights of ONUSAL and two representatives of the Government of El Salvador nominated by the President (see S/26865 and S/26866). The Joint Group is to present a report with its findings and recommendations at the end of May 1994.

6. Since the establishment of the Joint Group, several acts of violence have been committed against representatives of political or social organizations, including the assassination, immediately after the establishment of the Joint Group, of a member of the highest decision-making body of FMLN. Investigations are under way in an effort to clarify the motives for these acts and to identify the culprits. It is encouraging that, according to the most recent report of the Division of Human Rights, murders analogous to those committed during the final months of 1993 have not recurred. Notwithstanding this relative improvement in the human rights situation, violations of the right to life, due process and other fundamental rights have continued. It is to be hoped that the continuing efforts to investigate and punish crime and to strengthen democratic institutions will result in progress in the fight against impunity.

7. On 20 March 1994, the first post-conflict elections were held in El Salvador for the presidency, the vice-presidency, all members of the Legislative Assembly and the municipal councils, as well as representatives to the Central American Parliament. For the first time FMLN participated as a political party. The Electoral Division of ONUSAL verified the electoral campaign, which officially opened on 20 November 1993. The Division also observed, and provided support for, the Supreme Electoral Tribunal's registration of voters and delivery of voter cards.

8. As I reported to the Security Council, the elections were held under generally acceptable conditions, without any major acts of violence, although

serious flaws regarding organization and transparency were detected (see S/1994/375). These were not, however, deemed to have had an effect on the final outcome. Since none of the candidates obtained the required absolute majority in the presidential race, a second round was held on 24 April 1994 between the two candidates with the highest number of votes, namely, those of the Alianza Republicana Nacionalista (ARENA) and the Convergencia Democrática/FMLN/Movimiento Nacional Revolucionario (CD/FMLN/MNR) coalition. This second round resulted in the election of the ARENA candidate, Mr. A. Calderón Sol, who will take office on 1 June 1994. In view of the fact that a fourth and final report on the activities of the Electoral Division of ONUSAL, covering the second round, will be before the Security Council when it takes up the present report, the matter is not further discussed here.

9. The National Commission for the Consolidation of Peace (COPAZ) has continued its work with the presence of an ONUSAL observer. It has presented to the Legislative Assembly draft laws on the regulation of the holding of weapons and on private security bodies. Having been adopted by the Assembly, both laws are now being enacted. COPAZ has also recently recommended to the Assembly a number of constitutional reforms to deconcentrate the functions of the Supreme Court of Justice and further protect individual rights, in compliance with the relevant recommendations of the Commission on the Truth. Some constitutional amendments were eventually approved before the expiry of the Assembly's mandate on 30 April 1994. Although making some progress on both matters, they fall short of both the Commission's recommendations and the COPAZ proposals.

10. Work in the Forum for Economic and Social Consultation continued until mid-December, although its plenary sessions were suspended in November upon the withdrawal of the business sector. Having failed to reach a consensus on reforms to the Labour Code, the Government presented to the Legislative Assembly a draft that included some, though not all, of the points suggested by the International Labour Organization (ILO). The draft became law on 21 April 1994. Following the elections, intentions regarding resumption of the Forum's work remain unclear.

II. MILITARY ASPECTS

A. Organic structure

11. On 1 May 1994, ONUSAL had a strength of 22 military observers from Brazil, Canada, Colombia, Ireland, Spain, Sweden and Venezuela, and 7 medical officers from Argentina and Spain, deployed at headquarters and at two regional offices covering the entire territory of El Salvador. The corresponding strength on 1 November 1993 was 31 military observers and 7 medical officers.

B. Recovery of military weapons held by private individuals

12. Since the entry into force on 11 January 1994 of the Law for the Control of Weapons, Munitions, Explosives and Related Artifacts approved by the Legislative Assembly on 9 December 1993, ONUSAL has been verifying the replacement by the Armed Forces of El Salvador of registered military weapons in the hands of state authorities or institutions with other arms authorized by the above-mentioned

law. Weapons in the possession of penitentiaries and a small number still in the hands of Salvadorian personalities remain to be replaced.

13. With regard to unregistered military weapons held by private individuals - civilians or discharged military personnel - the Government had undertaken to recover them through an information campaign that would begin immediately after approval of the relevant law. However, very few weapons were surrendered to the Armed Forces of El Salvador during the period stipulated by the law. It is clear that a great many such weapons remain in the hands of individuals, either because insufficient information was provided or because of reluctance to hand them over. Because of repeated delays, what should have been an urgent process has been extremely slow and as a result the problem of arms proliferation continues to be a source of concern in El Salvador. Because of the relevance of the problem to the current crime wave, it is imperative that the Government take urgent concerted action to ensure the handing over of those weapons to the authorities.

C. Clearing of minefields

14. After various interruptions, the demining process, which began on 15 March 1993, concluded on 30 January 1994 with the clearing of some 425 minefields and the disposal of over 9,500 mines of various types. ONUSAL military observers participated actively in helping to overcome the problems that arose in the programme and in ensuring its successful completion.

15. ONUSAL military and police observers are taking part in a follow-up programme for the destruction of explosive artifacts, organized jointly by the Government of El Salvador, the United Nations Children's Fund (UNICEF), FMLN, the Armed Forces of El Salvador and the National Civil Police. To date, 845 of the roughly 900 artifacts uncovered so far have been destroyed. Current financial problems in the programme are being resolved by the Government with external financial assistance.

D. Compensation of demobilized members of the Armed Forces of El Salvador

16. As a result of an agreement signed on 15 December 1993 between the Government and the Association of Demobilized Personnel of the Armed Forces of El Salvador, compensation equivalent to one year's pay, as stipulated in the Peace Accords, has been made to 6,000 of the 18,000 demobilized members of the Armed Forces of El Salvador. Agreement was reached on 28 January 1994 to continue with the indemnities and to conclude payments on 30 June 1994. In subsequent conversations between the Government and the Association, with ONUSAL mediation, it was agreed to accept 31 December 1993 as the final demobilization date; to include certain administrative personnel of the Armed Forces of El Salvador as beneficiaries; and to establish a mechanism for the investigation of complaints. The agreement is, however, awaiting the written government ratification requested by the Association.

E. Other matters

17. As anticipated in November 1993 (see S/26790, para. 14), ONUSAL has continued to follow up intelligence activities of the Armed Forces of El Salvador to verify that they conform with the doctrinal principles set forth in the Peace Accords and derived from the amended Constitution. Frequent contacts with both the Joint Chiefs of Staff of the Armed Forces and the State Intelligence Agency have enabled ONUSAL to verify the existence of an increasing delimitation and specialization of functions in each of these services. It is important that ONUSAL sustain its verification activities in this area.

18. With regard to the files of the disbanded National Intelligence Department, it has been verified that these continue to be in the care of the Joint Chiefs of Staff of the Armed Forces. This body, however, has informed ONUSAL that it can review the contents of the files.

19. ONUSAL military observers maintain their contacts with the Armed Forces at various levels and, as requested by the Government, continue to verify and destroy arms. They also collaborate with the Police and Human Rights Divisions on various issues, such as the investigation of armed bands in the country, and they maintain a reassuring presence in former conflict areas.

III. PUBLIC SECURITY MATTERS

A. Police Division

20. The Police Division, which has an authorized strength of 353, has a current strength of 268 police observers from Austria, Brazil, Chile, Colombia, France, Guyana, Italy, Mexico, Spain and Sweden. Its task remains to monitor and assist the National Police until its complete replacement by the National Civil Police (see para. 47).

21. The Division has also sought actively to observe the performance of the National Civil Police in order to verify compliance with the Peace Accords. For some months after October 1993, it was not able to carry out this task satisfactorily owing to a lack of cooperation by the National Civil Police (see also paras. 30 and 42). However, in early March 1994, a small cooperation programme was started with the provision by ONUSAL police observers of training and advice to the National Civil Police Highway Patrol Unit. Arrangements are also now being made to establish a technical assistance programme that will enable recent graduates of the National Public Security Academy to benefit from the expertise and experience of the ONUSAL Police Division in a variety of subjects. This support will complement that currently being provided by the team from the United States of America that advises and assists the National Civil Police.

22. The Police Division also supports the Division of Human Rights, to which 20 police observers are seconded. Police observers conduct special inquiries when required and verify that appropriate security measures are provided for FMLN leaders, as established by the Accords. Police Division personnel also oversee

the admission examinations at the Academy and from late 1993 they supported the activities of the Electoral Division.

B. National Public Security Academy

23. The National Public Security Academy, which is responsible for the training of recruits to the National Civil Police, started its activities on 1 September 1992, four months behind schedule. Following the recent graduation of its thirteenth basic-level class, the Academy has produced a total of 3,923 basic-level and 102 executive and senior-level police. It is now training an additional 2,218 basic-level and 131 executive and senior-level students and it intends to graduate a total of 5,700 agents by 20 September 1994. About 240 officers will have graduated by late July 1994, as envisaged in the Accords. While the Government devoted 97,708,574 colones (US$ 11,230,870) of its own resources to the Academy in 1992 and 1993, the budgetary allocation for 1994 is 89,760,970 colones (US$ 10,317,351).

24. The Government will soon need to take important decisions regarding the pace of monthly intakes and graduations and the duration of the training courses at the Academy after the transition period, which should expire on 31 October 1994. The length of training courses could be increased in the future to improve academic quality. Simultaneously, the Academy will probably need to give increasing importance to further specialized training and to the retraining of those National Civil Police officers and agents who were deployed in the first two years with only very basic academic preparation. These retraining courses would be of special value for officers and agents with military background (especially those originating from the Criminal Investigation Commission and the Special Antinarcotics Unit), who did not attend the normal courses at the Academy. Special courses will have to be designed to train the basic-level commanders who will replace those personnel who have been carrying out those tasks on a provisional basis.

25. During the month of May, the Academy will carry out its first annual evaluation of the members of the new police force, as mandated by the Accords. This evaluation will provide the Academy, inter alia, with an indication of its own strengths and weaknesses, thus enabling it to undertake a thorough revision of its study plans and an assessment of its teaching staff. ONUSAL has identified consistent deficiencies in the training of members of the civil police in legal matters and the use of force and firearms. It has also observed a considerable imbalance in favour of former members of the National Police in the composition of the team of National Civil Police monitors responsible for discipline at the Academy. ONUSAL's position is that if this imbalance is not addressed it could jeopardize the civilian character of the new police force, notwithstanding the Government's recent insistence that the idea of militarizing the National Civil Police has never arisen.

26. The Academy has continued to receive the support of an international team of experts from Spain and the United States of America that advises the Director and the Academic Council on aspects such as the recruitment and selection process, curricula, finances and discipline. Instructors from Chile, Norway, Spain, Sweden and the United States play a full part in the training.

Currently, the Academy has a total of 40 international experts and instructors. Since it is essential that this international support be maintained, ONUSAL has, at the Government's request, asked those countries providing technical cooperation to extend it at least until December 1994. One of the most important tasks of the international team in the coming months will be to train the Salvadorian instructors who will replace it.

27. ONUSAL continues to monitor the functioning of the Academy and is represented at its Academic Council by an observer who speaks when important matters related to the Accords are raised. ONUSAL also cooperates with the Academy at other levels, especially with its Admissions and Selection Committee. It monitors the admission examinations and recommends improvements when necessary. The Division of Human Rights organizes, jointly with the Academy, seminars and workshops on human rights, and continues to provide literature on the subject. ONUSAL remains ready to provide personnel from its Police and Human Rights Divisions to support and complement the efforts of the international technical team and, at the request of the Academy, will provide support to the first annual evaluation of the National Civil Police.

C. National Civil Police

28. The National Civil Police, which began operating in March 1993, is now deployed in seven departments, in the urban areas of two more departments and in large sections of San Salvador. Deployment in the last four departments and in other rural areas where the National Police is still in charge of public security is to take place by the end of September 1994. At that date the National Civil Police should have replaced the National Police in all 14 departments of El Salvador, though this is two months later than envisaged in the Peace Accords. However, the Government recently indicated that the National Police would not be phased out until March 1995 as current crime levels in the country required more than the 5,700 National Civil Police agents envisaged in the Peace Accords (see para. 47).

29. The National Civil Police Divisions of Public Security, Antinarcotics, Criminal Investigations and Protection of Eminent Persons are currently operational, although the last three function largely with agents who are not graduates of the Academy. The Government should therefore encourage the specialized training of Academy graduates in order to incorporate them into these divisions. Although close to 250 agents have already undergone specialized training in traffic control and finance, both divisions are far from being fully operational. While members of the former are currently receiving additional training from ONUSAL (see para. 21), the Finance Division only deployed its first contingent on 11 May, over five months behind schedule. The deployment of the Finance Division must be accelerated as the Division should gradually replace the Customs Police, which is due to be demobilized on 31 October 1994 at the latest (see para. 45). The training of members of the Border Division has begun belatedly, given that its deployment should have started in early April; and the training of members of the Arms and Explosives and Environmental Divisions needs to be initiated if they are to begin their planned deployment in early June and during the second semester of 1994, respectively. ONUSAL has offered the Government the assistance of its police

observers in the organization and implementation of the functional deployment of the National Civil Police and a response is awaited.

30. As I informed the Council in my November 1993 report (S/26790, paras. 31 and 32), ONUSAL has received little cooperation from the Government and the National Civil Police in its efforts to verify the incorporation, in accordance with the complementary agreement of 22 December 1992, of former Special Narcotics Unit and Criminal Investigation Commission personnel into the Antinarcotics and Criminal Investigations Divisions of the National Civil Police.

31. In order to correct the irregularities in the transfer to the National Civil Police of these personnel with military background, ONUSAL reached an agreement with the Government on the setting up of a Select Review Committee composed of the Directors-General of the National Civil Police and the Academy and the United States technical adviser to the National Civil Police. An ONUSAL representative participated in the Committee as a verifier. On 10 February 1994, the Committee decided that the Government should provide a complete list of the candidates for incorporation into both units, indicating whether or not they had attended the special Academy course, and the marks obtained in the psychotechnical and conceptual examinations, which they had taken on the recommendation of ONUSAL. Only those candidates who had attended the special course and passed the examinations could be accepted into the National Civil Police. ONUSAL has not yet received that list.

32. The Select Review Committee also decided that, before joining the National Civil Police, officers of the Special Antinarcotics Unit and Criminal Investigation Commission would have to pass a special resident course at the Academy on the new civil police doctrine. Attendance at an additional special resident course would be required from agents who had joined both units after the complementary agreement of 22 December 1992. On 11 April 1994, the first two courses for officers and agents, of five and two weeks' duration respectively, started at the Academy. Similar courses were recommended by the Select Review Committee for the remaining members of both units.

33. The Committee also agreed to take necessary action if charges of serious human rights violations raised by FMLN against 46 members of the Special Antinarcotics Unit were corroborated. Thus far, no evidence has been produced.

34. The Committee also stated that former members of the Special Antinarcotics Unit and the Criminal Investigation Commission could join only the Antinarcotics and the Criminal Investigations Divisions of the National Civil Police and could not be assigned to duties outside those divisions until after December 1994. For its part, ONUSAL has made it clear that the officers of those units can at no time hold command positions in other divisions or in the departmental delegations of the National Civil Police without undergoing the regular Academy courses for officers. Furthermore, the Committee recommended that the Government start to train Academy graduates in antinarcotics and criminal investigation so as to incorporate them into the corresponding divisions of the National Civil Police. ONUSAL has recently ascertained that many of the former sergeants of the Special Antinarcotics Unit enrolled in the National Civil Police as sub-inspectors are now responsible for criminal investigations in a

number of delegations of the National Civil Police, instead of working in their area of specialist expertise.

35. The appointments given to former personnel of the Special Antinarcotics Unit and the Criminal Investigation Commission also suggest discrimination against those personnel who joined the National Civil Police in compliance with all the requirements established by the Peace Accords. Although they did not undergo the normal course for senior-level officers at the Academy, the current chiefs of the Antinarcotics and Criminal Investigations Divisions, both of them former members of the Special Antinarcotics Unit and the Criminal Investigation Commission respectively, have been enrolled into the National Civil Police as Commissioners. With the Deputy-Director for Operations, there are now three commissioners in the National Civil Police, all of them former members of the Special Antinarcotics Unit and the Criminal Investigation Commission. 2/ So far, no Academy graduates have been granted the rank of commissioner. Likewise, 12 Special Antinarcotics Unit officers and 7 from the Criminal Investigation Commission have been enrolled as subcommissioners, while 44 sergeants of the former unit have joined as sub-inspectors (see para. 34). It must be noted that it is only after successfully undergoing a one-year course at the Academy that senior and executive-level graduates become subcommissioners and sub-inspectors, respectively. FMLN has objected to these appointments, indicating its understanding that under the complementary agreement of 22 December 1992 such personnel should join the National Civil Police only as specialists.

36. These developments have affected the delicate balance in the command structure of the police, which constitutes a key element in the Accords, under which 60 per cent of all positions should be occupied by personnel who did not participate directly in the armed conflict, 20 per cent by former National Police (military) members and 20 per cent by FMLN ex-combatants. Indeed, as a result of the above-mentioned enrolments, 30 subcommissioners in the new police force belonged to the old public security system, while only 7 are from FMLN and only 17 are civilians. Recent appointments of division and departmental chiefs also appear to favour former personnel of the previous security bodies. ONUSAL has raised this matter with the Government.

37. Similar imbalances exist at the basic level of the new police. While the National Police filled its 20 per cent share at the Academy months ago, FMLN has not been able to present enough candidates to fill its 20 per cent quota, and as a result only 13 per cent of Academy recruits are from FMLN. The incorporation into the National Civil Police of former Special Antinarcotics Unit and Criminal Investigation Commission members who had previously been part of the National Police has increased the latter's share significantly.

38. All these imbalances run counter to the letter and spirit of the Peace Accords and need to be urgently redressed in order to avoid further militarization of the new civil police. As requested by ONUSAL, it is essential that the Government provide the Academy with lists of former personnel of the Treasury Police, National Guard and elite battalions (immediate reaction infantry battalions) to enable ONUSAL to verify whether or not members of those bodies have been admitted to the Academy as civilians (see S/26790, para. 25). The Government should also provide ONUSAL with complete lists of current members of the National Police in order to verify that they do not join the Academy as

civilians. This is especially important in view of information received by ONUSAL that former National Police personnel are being hired to fill technical posts within the National Civil Police.

39. In my November 1993 report (S/26790, para. 35), I informed the Council that it was essential to complete the organic structure of the new police with the immediate appointment of its Inspector-General and the establishment of the disciplinary and control units. The Government has indicated that the Inspector-General will be appointed by the new Minister for the Interior and Public Security who will assume his functions with the next administration. Since it is to this Ministry that the civil police will be subordinated in the future, its creation and the appointment to its higher posts of civilians with impeccable credentials will be among the most important tasks of the new Government.

40. The Director-General has now appointed the heads of the units on disciplinary investigation and control and the former unit has been operational for two months. ONUSAL, however, has received complaints that the National Civil Police has failed to take forceful action and to cooperate with the judiciary when its agents are reported to have been involved in unlawful behaviour. The Director-General of the National Civil Police has been meeting with the heads of the two units, in the presence of ONUSAL, with a view to correcting this situation. The control unit has yet to be provided with the human and material resources and legal framework that will permit it to begin the important task of supervising all police services.

41. The budget allocation of the National Civil Police for 1994 is 291,826,360 colones (US$ 33,543,259), compared with expenses of 84,267,524 colones (US$ 9,685,922) for the years 1992 and 1993. This represents a sizeable increase in the last six months in the resources provided to the National Civil Police by the Government. While in November 1993 the National Civil Police had 67 vehicles, 31 motorcycles and 134 portable radios, it now has 257 vehicles (30 of them donated by the United States Government, which has offered to deliver an additional 170), 35 motorcycles and 670 portable radios. The National Civil Police is in the process of installing a very modern communications system and most of its vehicles contain mobile radios. Having purchased a total of 4,000 handguns and 1,000 rifles, it now has at its disposal some 4,440 guns and 1,020 rifles, including those on loan from the Armed Forces of El Salvador. This equipment, which does not include that belonging to the Antinarcotics and Criminal Investigations Divisions, is considered to be sufficient to meet the needs of the 4,000 graduates currently deployed. Nevertheless, civil police premises still need considerable improvement.

42. ONUSAL has detected the following four main weaknesses in the functioning of the National Civil Police:

(a) There is an absence of clear guidelines and criteria regarding legal and police procedures, a problem that is compounded by deficiencies in the legal instruction received at the Academy. The unit for control of the National Civil Police should play an important role in providing such guidelines and supervising their implementation;

(b) There is insufficient coordination between the police and the Academy. One way to improve this could be to set up a permanent coordinating mechanism between the two institutions. The forthcoming evaluation of National Civil Police members by the Academy should be useful in bringing both institutions closer;

(c) There is a lack of coordination in the activities of the police, the judiciary, the Attorney-General's Office and the National Counsel for the Defence of Human Rights. The fight against crime and the simultaneous strengthening of democratic institutions can only be successful if there is a joint inter-institutional effort;

(d) In September 1993, in what can only be termed a self-defeating move, the Government did not request the extension of the technical assistance that ONUSAL had provided to the National Civil Police since April (see S/26790, para. 19), thereby depriving the new police of valuable support. Since then, in contrast to the welcome initially given to the new corps by the population, complaints of human rights violations by the National Civil Police have increased. In addition, both the Police and Human Rights Divisions of ONUSAL have faced serious difficulties in carrying out their verification activities as police units have been instructed not to cooperate with ONUSAL.

43. With a view to overcoming these weaknesses, ONUSAL has offered to resume the provision of technical assistance to the civil police and the terms of reference for the provision of such assistance are currently being discussed. It is encouraging that the Government has expressed interest in taking advantage of the experience and expertise of ONUSAL personnel in the field. The Director-General of the National Civil Police has recently asked ONUSAL to contribute to the legal training of his personnel and has produced jointly with the Division of Human Rights a set of guidelines on legal and police procedures to serve as a basis for the training of the National Civil Police officers and agents. This training is to be carried out jointly by the National Civil Police and ONUSAL, which have also established a coordinating mechanism for processing complaints of human rights violations and facilitating the Mission's verification duties.

D. National Police

44. Between October and December 1993, the National Police demobilized 900 agents. In January 1994, the Government announced the suspension of demobilization but subsequently informed ONUSAL of the demobilization of a further 900 agents between January and March. ONUSAL has requested an explanation of this apparent contradiction. Thus far, only around 10 per cent of all demobilized personnel have registered for reintegration programmes (see para. 46). According to the Government's phasing-out plan, a further 5,900 agents and over 1,000 administrative personnel currently deployed in four departments and parts of three other departments will have to be discharged before the 31 October 1994 deadline established by the Accords. ONUSAL has continued to urge the Government to accelerate the reduction of the National Police and to bring its phasing-out into line with the deployment rate of the National Civil Police.

45. The Peace Accords also call for the dissolution of the 1,211-strong Customs Police. The Government has committed itself to its demobilization, once the Finance Division of the National Civil Police becomes operational. As indicated above (para. 29), the first contingent of the Finance Division has been deployed. However, the Government has yet to announce its plan for the demobilization of the Customs Police.

46. The initiation of reintegration programmes for demobilized National Police personnel has suffered very serious delays (see also para. 86). Thus far, only 15 per cent of potential beneficiaries have participated in the counselling phase of the programmes and, as noted above, only 10 per cent of the reported 1,800 demobilized agents have registered in programmes. Decisive action will be needed by the agencies involved and by the National Police itself to ensure successful implementation of the programmes. In compliance with the Accords, a special effort by the Government will be required in order to ensure compensation equivalent to one year's pay to every demobilized National Police member.

47. Recently, the Government has proposed a redefinition of the agreed arrangements governing public security during the transition period, in order to ensure that when the National Civil Police replaces the National Police completely it will have more than the 5,700 agents referred to in the Accords. The changes proposed by the Government would delay until at least 31 March 1995 the full deployment of the National Civil Police scheduled for September 1994 and the parallel phasing-out of the National Police, which in conformity with the Peace Accords should be concluded by 31 October 1994. It has also expressed interest in negotiating with FMLN the incorporation into the National Civil Police of more National Police, whose quota has already been exceeded (see para. 37). ONUSAL insists that any such alterations must be previously agreed between the parties to the Accords and must be implemented in a way that preserves the fundamental characteristic of the National Civil Police as a single and truly civilian police force nationwide.

IV. COMMISSION ON THE TRUTH

48. Some progress has been achieved since my last report towards compliance with the recommendations of the Commission on the Truth. Before expiry of its term on 30 April 1994, the Legislative Assembly approved several constitutional reforms regarding the judiciary, which include the deconcentration of some of the functions held by the Supreme Court and the protection of individual rights. The amendments should be ratified by the current legislature, which initiated its work on 1 May.

49. In November 1993, the Christian Democratic Party had presented several draft reforms that would have complied with the Commission's recommendations. The initiative was not successful, however, since a majority of the Assembly was then opposed to discussing constitutional reforms during the electoral campaign, which opened on 20 November. The question was revived as the campaign drew to a close in March 1994. In April 1994, a number of legislators from the Christian Democratic Party and the Democratic Convergence, as well as independent legislators, agreed to promote reforms on the basis of drafts submitted to them

by the Federation of Lawyers Associations. Proposals were soon put forward by various other organizations.

50. Significant progress was also achieved in COPAZ, which for several months had been unable to tackle the question because of lack of consensus. In a letter sent to me on 14 April 1993, COPAZ reported that it had recommended to the Legislative Assembly a number of constitutional amendments whose approval would have entailed a significant devolution of the Court's functions and improvement in the guarantees of due process.

51. Several reforms were finally approved by the Legislative Assembly on 29 April, but they fell short of the Commission's recommendations and the COPAZ proposals. No amendments were made to provisions regarding the appointment of judges and magistrates and their dismissal. These remain functions of the Court. According to the recommendations, these functions were to be removed from the Court and become the responsibility of the National Council of the Judiciary.

52. The power to suspend lawyers and notaries in the exercise of their profession was removed from the Court, as recommended, and assigned to a new entity, the National Council of Lawyers and Notaries. The five members who will constitute this Council will be elected by a two-thirds vote by the Legislative Assembly. Three of them will be elected from candidates put forward by the Supreme Court of Justice (one), the National Council of the Judiciary (one) and the Federation of Lawyers Associations (one). The remaining two will be elected directly by the Assembly from among professionals meeting the requirements established by the Constitution. The authorization of lawyers and notaries, however, which was also to be transferred to an independent entity, remains within the Court's responsibility.

53. Authority as regards granting habeas corpus was assigned to lower courts, as recommended. The Supreme Court is henceforth to deal only with those cases involving the trial of high government officials or revisions of lower judges' decisions denying the release of detained or arrested persons. The right to habeas corpus is applicable in cases of violations against the dignity or physical integrity of detainees and, in general, to all illegal or arbitrary detentions.

54. Authority concerning amparo, until now a function of the Court's Constitutional Division, has now been expanded to its other Divisions, depending upon the matter under consideration. No provision has been made, however, to extend it to lower courts, as recommended.

55. The Legislative Assembly is to approve an allocation of not less than 4 per cent of the national budget to the Judicial Organ. This allocation will also include the National Council of the Judiciary and the National Council of Lawyers and Notaries. The Assembly will also approve a 2 per cent minimum budgetary allocation to be distributed among the institutions comprising the Public Ministry.

56. The provision that dismissal of members of the National Council of the Judiciary requires a two-thirds majority of the legislature, which had already

been approved through a reform of the relevant law, has now been incorporated into the Constitution.

57. Several amendments have been approved with regard to due process. They include, among others, the maximum period for detentions due to administrative misdemeanours, which has been reduced from 15 to 5 days. Although an improvement in comparison with the previous stipulation, this amendment falls short of recommendations made by the Commission on the Truth and the Division of Human Rights of ONUSAL.

58. Detainees' rights have been reinforced, in particular the right to be notified by the authority responsible for their detention, to refrain from self-incrimination and to a timely and appropriate defence. Extrajudicial confessions have also been eliminated, as a specific provision was made to the effect that detainees' confessions will have legal consequences only when made in the presence of the competent judicial authority and according to law.

59. Amendments involving individual rights were in general approved in the Legislative Assembly by consensus. Amendments relating to the judiciary did not obtain the favourable vote of all legislators belonging to the Christian Democratic Party or the Democratic Convergence, who had proposed more drastic reforms. In addition to those amendments, the Legislative Assembly, by a majority of votes, modified the terms of state grants for public services and the functioning of the Court of Accounts.

60. The amendments approved, which imply a partial reduction of the Supreme Court's highly concentrated power and considerable improvement in the guarantees of due process, do not, however, entail the in-depth institutional overhaul of the judicial system recommended by the Commission on the Truth. It is to be hoped that, following prompt ratification by the current Legislative Assembly, secondary legislation as well as administrative and budgetary measures will be adopted to put into practice the progress achieved. This, however, does not obviate the need to revert to further constitutional reform if full compliance with the recommendations of the Commission on the Truth is to be achieved. It is regrettable that this opportunity has been lost and that such compliance will have to wait another three years.

61. The Legislative Assembly has recently adopted the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. However, reservations were expressed with regard to the competence of the Committee against Torture to investigate reliable information about the systematic practice of torture, to transmit its findings and the suggestions it deems pertinent, and to include a summary thereof in its annual report to the States parties and to the General Assembly. It is essential that this competence of the Committee against Torture be recognized as part of the monitoring of legality and of mechanisms for the protection of human rights. Reservations also apply to the recognition of the competence of the International Court of Justice to deal with controversies in relation to the interpretation or application of the Convention. El Salvador's adherence to the Convention is therefore partial and the recommendation of the Commission on the Truth on this point has not been satisfied.

62. Still to be ratified are the Optional Protocol to the International Covenant on Civil and Political Rights, the American Convention for the Prevention and Punishment of Torture and the Additional Protocol to the American Convention on Human Rights relative to Economic, Social and Cultural Rights (San Salvador Protocol), which should be effected as soon as possible. Furthermore, El Salvador is the only Central American country that has not recognized the mandatory competence of the Inter-American Court of Human Rights, the importance of which ONUSAL has consistently underlined.

63. Other recommendations of the Commission on the Truth and by the Division of Human Rights of ONUSAL that have not yet been implemented include the endowment of the National Counsel for the Protection of Human Rights with budgetary autonomy and the creation of a fund for the compensation of victims of human rights violations.

64. The Division of Human Rights has underlined the importance of following a strict timetable for the adoption in the Legislative Assembly of the drafts proposed by the Government relating to the criminal and criminal procedural codes, and draft laws on penitentiaries, a code of conduct for officials responsible for law enforcement, and other reforms that are important for the protection of human rights.

65. With respect to the dismissal of military or civilian officials and their disqualification from holding public office, clarification from COPAZ was sought regarding a letter it had sent to me on 9 August 1993 (see S/26581, para. 11) stating its position on these provisions. In a letter dated 31 January 1994 addressed to the Under-Secretary-General for Political Affairs, the pro tempore Coordinator of COPAZ stated that its previous communication should be interpreted as a request that non-implementation of those recommendations not be regarded as a violation of the Accords.

V. ECONOMIC AND SOCIAL ISSUES

A. Land transfer programme

66. In my last report, I pointed out that the land programme, as agreed by the parties on the basis of the Secretary-General's proposal of 13 October 1992, had been proceeding at a very slow pace. In August 1993, the Government presented a plan to accelerate land transfers to former combatants of FMLN and landholders, the Acceleration Plan. It is evident that while the Government's wish to overcome the delays that had beset the programme must be welcomed, the Acceleration Plan can be a positive contribution to the overall peace process only if it is conceived as a means of implementing existing agreements - Chapultepec and the 13 October programme - rather than as a substitute for them.

67. The Acceleration Plan was supplemented in mid-November with operative guidelines, which spelt out in concrete terms how the Plan would be implemented. By that time, only 4,424 persons had received title to land. This represented less than 10 per cent of the maximum 47,500 potential beneficiaries from FMLN and the Armed Forces of El Salvador contemplated in the 13 October programme. In spite of some progress, the target of providing titles to 12,000 persons by

the end of the year, which had been accepted as feasible by both the Government and FMLN, was not met. In fact, by 31 December 1993 only 6,261 persons, slightly over half the target, had received title. Four months later, at the end of April 1994, this figure had reached 11,585, representing an increase from 10 to 24 per cent of the maximum number of beneficiaries, but still below the end-of-year target.

68. Although the Acceleration Plan has facilitated land transfer in the short run, it has raised new problems for completion of the programme in the longer term. The main objection raised by FMLN to the operative guidelines presented in November 1993 was the fact that, as a result of the new verification rules imposed by the Government, potential beneficiaries were losing the rights recognized for them in the 13 October programme. The total number of FMLN beneficiaries contemplated in the Plan was approximately 25,000 instead of the 32,500 (7,500 ex-combatants and 25,000 landholders) contemplated in the 13 October programme. The latter programme is still the only valid agreement between the two parties and it must therefore remain the basis on which ONUSAL verifies compliance.

69. More worrying was the provision in the operative guidelines for eviction of those who were occupying properties that had not been applied for by the 25,000 beneficiaries envisaged. FMLN objected to this as contrary to the Chapultepec and 13 October agreements, which stipulated that landholders occupying land at the end of the conflict would not be evicted until the Government had found an acceptable solution to their land tenure problem.

70. In addition to those left out of the programme as a result of the new verification rules, there remained the problem of the so-called "non-verified" landholders. With regard to these, the Government had agreed at the 8 September 1993 high-level trilateral meeting (Government/FMLN/ONUSAL) that non-verified landholders would be dealt with at the end of the programme, as resources became available. FMLN accepted this at the time. In November 1993, the difficulty of transferring properties on which there were non-verified occupants (and the impossibility in most cases of relocating them), led me to ask the Government to show flexibility by accepting as many non-verified people on the negotiated properties as possible (S/26790, para. 52). The Government subsequently accepted all non-verified landholders (2,900 people) on the properties that were transferred during the first phase of the Acceleration Plan. This welcome flexibility unquestionably provided some impetus to the programme.

71. In February 1994, although the first phase of the Acceleration Plan had not yet been fully implemented, the Government presented a second phase. This has raised a number of problems, which are discussed below.

72. The problem of the non-verified landholders has surfaced again and with a new dimension. On 13 April 1994, after much delay, FMLN finally presented a list of all landholders whom they wanted included as beneficiaries in the programme, in addition to the 25,000 who had earlier been reverified by the Government. These "non-verified" landholders amount to 7,285 people. The total of beneficiaries would still be below the maximum of 32,500 for FMLN ex-combatants and landholders specified in the 13 October programme.

73. The Government was under no obligation to include them now because of the agreement that they would be dealt with at the end of the programme, as accepted by FMLN on 8 September 1993. However, the impossibility of proceeding with the transfer of properties containing non-verified landholders has again brought the programme to a virtual standstill. In search of a solution, my Special Representative has been meeting with government officials and representatives of major donor countries to find ways to finance the early transfer of land to non-verified landholders. I am glad to report that, in its letter dated 5 May 1994, the Government has informed my Special Representative that financing is now available to cover transfer of land to all potential beneficiaries, including the non-verified landholders, thus removing one of the most serious obstacles to the implementation of this programme.

74. The second phase of the Acceleration Plan has raised new problems by contemplating the issue by the Land Bank of credit certificates to potential beneficiaries. The latter would then negotiate terms for purchase of the land directly with landowners. FMLN has objected to the fact that these certificates have an expiry date (30 April 1995). Given past problems with land transfers and the fear that these might now worsen (since FMLN beneficiaries will be negotiating directly with the landowner without much technical assistance), the possibility that beneficiaries' entitlement might expire at a fixed date would be most disturbing. ONUSAL has reported the reaching of an understanding that the certificates could be renewed upon expiry. Justifiable concerns would be alleviated further and compliance with the 13 October programme restored if this understanding were to be made explicit in the certificates.

75. The ceiling specified in the certificates for the credit to be provided is also at variance with the 13 October programme and requires a formal agreement by the parties to be amended. In that programme, the Government committed itself to transfer certain quantities of land to FMLN beneficiaries, following the criterion of the Salvadorian Institute for Agrarian Reform whereby the size of a lot varies according to soil type. At current prices and exchange rates, the ceiling of 30,000 colones specified in the certification may be sufficient. However, in the event of a large devaluation or increases in land prices, the potential beneficiaries would not have access even to the small plots provided for in the programme. Though such an eventuality may be unlikely, it would be prudent to make provisions to safeguard against it.

76. A solution needs also to be found for the problem of human settlements (referred to in the agreements as predios e inmuebles). As stated in my last report (S/26790, para. 55), FMLN wants them transferred as they exist, with all the infrastructure and en bloc. This is a pressing issue since as many as 60 per cent of the properties to be distributed under the second phase of the Acceleration Plan fall into this category. These communities have an important infrastructure built up over the years, which their members would lose by relocating to other rural areas. For this reason, they would refuse to leave if owners did not want to sell, could not be found or had no title to the land to be transferred. A solution that does not entail breaking up these communities therefore needs to be found. The Government has agreed to present a plan to this effect two weeks after FMLN submits relevant information from these communities concerning the number of people and properties that they want included in the land programme.

77. Various points of tension extraneous to the land programme persist, especially in the properties contemplated in the agreement signed on 3 July 1991 between the Government and the peasant organizations and incorporated into the land programme, for which a satisfactory solution has not been found. This has led many owners to initiate legal actions for eviction and has resulted in land occupations by various peasant groups. Early in May, new tensions arose following the eviction of peasants from a property in Sonsonate.

B. Reintegration programmes

78. With considerable difficulty, ONUSAL has continued to work with the parties and with the United Nations Development Programme (UNDP) to promote implementation of the various medium-term programmes designed for ex-combatants of the Armed Forces of El Salvador and FMLN, as well as supporters of the latter who became landholders in the former zones of conflict. The many problems besetting these programmes were analysed in some detail in my last report. Administrative problems, financial constraints and lack of full cooperation apparently reflecting a lack of political will in the mid-level bureaucracy have contributed in different degrees to serious delays.

1. FMLN ex-combatants

79. After much delay, all medium-term programmes for FMLN ex-combatants have now started. At weekly coordination meetings, the parties and ONUSAL are trying to improve communication and facilitate the solution of problems as they arise. The programme providing credits for small business has begun only recently, and only 322 of the 1,597 potential beneficiaries who were scheduled to receive credit by June 1994 have so far benefited from the programme. Those who have received credit are now supported by a two-year technical assistance programme.

80. On 31 December 1993, 3,634 agricultural credits for ex-combatants of both sides had been disbursed. The number of beneficiaries in the first three months of 1994 was only 271, in spite of the fact that this was a crucial period, just before the planting seasons started. The separate credit line for landholders was equally sluggish. As at 31 December 1993, 1,446 credits had been disbursed. In spite of ONUSAL's repeated requests, the Banco de Fomento Agropecuario has not provided updated information.

81. In addition to the lack of credit, the majority of demobilized Armed Forces of El Salvador and FMLN personnel who received title to land are still not able to cultivate in an effective way as a result of problems with the existing technical assistance programme. A new programme has been designed for the 1994/95 agricultural cycle, to be executed by the National Centre for Agricultural Technology. Since the Centre lacks the capacity to meet in full the demand for technical assistance, UNDP is preparing a proposal for a complementary programme that would make it possible to accommodate all beneficiaries of the land programme.

82. With regard to the programme for the 600 medium-level commanders (Plan 600), its training component has been completed and requests for

small-business credit are now being formulated. Although agreement has been reached on the terms of the credits, communication and coordination problems between the participating organizations have delayed the process. By 3 May, the first two credits had been disbursed, but the Government announced at the same time severe restrictions on technical assistance as a result of budgetary constraints. This is a matter of great concern since technical assistance is a crucial component of the programme. Without it the chances of success are minimal.

83. As to other programmes, that for medical care for the war-wounded and disabled ex-combatants concluded in March 1994, after several extensions. Those who require continuous care will be referred to the Protection Fund (see para. 85). The credit programme for housing is seriously delayed as a result of funding shortages.

2. Ex-combatants of the Armed Forces of El Salvador

84. The programmes for demobilized members of the Armed Forces of El Salvador were initiated later than those for FMLN ex-combatants. The short-term programmes are scheduled to end during the first six months of 1994. With regard to medium-term programmes, the most advanced are those for agricultural credit and technical assistance. Nevertheless, credit has been disbursed to only 712 beneficiaries and 1,182 have received technical assistance. Within the scholarship programme, 381 out of the 600 potential beneficiaries have started their studies. With regard to the credit programme for small business, 6,131 demobilized members of the Armed Forces of El Salvador have received training that makes them eligible to receive credit, but the credit programme contemplates only 1,597 beneficiaries. So far only 154 credits have been disbursed.

3. War-disabled

85. Implementation of the law creating the Fund for the Protection of Wounded and War-disabled as a Consequence of the Armed Conflict is still in the preparatory phase, although some progress has been made since my last report (S/26790, para. 70). Its Board of Directors started to function with considerable delay upon the late disbursement by the Government of funds required for pre-operational activities. The Board has thus been enabled to begin the setting up of its administrative structure and to proceed with the additional registration of potential beneficiaries. The Board will also revise the existing actuarial study to define the resources required to finance the benefits contemplated in the law. The budgetary allocation for the Fund's full operation should be approved upon completion of the study.

4. Demobilized National Police personnel

86. Reintegration programmes for the National Police, which are similar to those for demobilized FMLN and Armed Forces of El Salvador members, consist of three phases, namely, counselling, training and credit and technical assistance.

The first of these started on 15 February 1994 in six offices throughout the country. It was planned that programmes should begin with demobilized National Police, but when demobilization was suspended it was agreed that agents in active service could also enrol. As at 30 April, only 192 of the 1,800 demobilized agents had attended the counselling sessions. The National Police has not provided ONUSAL with concrete information on the whereabouts of the rest of those demobilized. Some 1,174 agents in active service entered the counselling phase.

C. Urban human settlements

87. The matter of urban human settlements, which involves houses vacated by their owners during the conflict and presently occupied by others, was dealt with at the high-level trilateral meeting of 8 September 1993. The Government agreed to address the problem outside the land programme and with additional financing after completion of a census carried out by COPAZ. In the census presented on 15 December 1993, COPAZ registered 1,373 houses, of which 752 are within the land transfer programme, thus reducing the problem of human urban settlements to the remaining 621 cases. The Government has since acquiesced in the design of a plan that could provide a solution to this delicate problem.

D. Forum for Economic and Social Consultation

88. In August 1993, the Forum agreed on an agenda that included the revision of several national laws related to labour conditions. They were the Labour Code, the Organic Law of the Ministry of Labour and Social Welfare, the Social Security Law and the status of public workers (see S/26790, para. 58).

89. Until the end of November 1993, the Forum concentrated on discussion of an International Labour Organization (ILO) proposal to reform the Labour Code. Although the three parties (representatives of Government, business and labour) came to an agreement on most of the proposals, 9 of the 49 points under discussion, which referred to important aspects of the right of labour to associate freely, remained unsettled. As I reported at the time (S/26790, para. 60), the business sector ceased its participation in the Forum when the electoral campaign began. Plenary sessions were thus suspended, although some work continued until mid-December.

90. On 13 December 1993, the Government presented to the Legislative Assembly a draft law to reform the Labour Code. It included most of the agreements achieved in the Forum while introducing new provisions and proposed to settle the nine disputed articles in a way that was considered unsatisfactory by the labour sector. The law was nevertheless passed with virtually no change on 21 April 1994. It provides for the establishment of a Labour Board with equal representation of the three parties but presided over by the Minister for Labour and limited to consultative functions within the structure of the Ministry of Labour.

91. With the conclusion of the elections, the future of the Forum remains unclear. Despite previous statements that it would return to the Forum after

the elections, the private sector now appears to consider the new Labour Board a substitute for the Forum. Contacts with the Government are under way to establish feasible alternatives. In any case, the agenda of August 1993 remains practically unchanged and the specific point on the status of public workers needs to be addressed as a matter of priority, since this group has been the source of most of the labour unrest in El Salvador in the past eight months.

VI. FINANCIAL NEEDS OF POST-CONFLICT PEACE-BUILDING

92. In my last report I pointed to the urgent need for additional resources to finance peace-related programmes in El Salvador, in particular those relating to the strengthening of the judiciary and other democratic institutions, including the National Civil Police, and those in support of human rights, including the National Counsel for the Defence of Human Rights. The need to finance crucial programmes for the reintegration of ex-combatants and their supporters into the civilian and productive life of the country was also mentioned in that context.

93. During the meeting of the Consultative Group held in Paris in April 1993, the Government reported a shortfall of $476 million to cover financial needs arising from the Peace Accords during the period from 1993 to 1996. In the Government's report to the Government Donors Meeting in March 1994, the shortfall for the same needs was shown to be some $376 million, distributed as follows: $51.1 million for the National Public Security Academy, $116 million for the National Civil Police, $7.8 million for the National Counsel for the Defence of Human Rights, $34.4 million for strengthening the justice system, $7.3 million for the National Council of the Judiciary and Judicial Training School, $6.8 million for the Supreme Electoral Tribunal, $37.5 million for compensation for the disabled, $63.7 million for the Land Bank, $18.7 million for housing, $14.2 million for agricultural credit and $17.9 million for small-business credit.

94. As I also indicated in my last report, donors have been generous in financing infrastructural and environmental projects but they have often been reluctant to finance some programmes directly related to the Accords that are crucial for peace consolidation. The Government's efforts in that regard, involving a total of $375 million, and those of the international community, involving grants or loans for an estimated total of $140 million for the period from 1993 to 1996, have been insufficient to cover all needs.

95. Although, as reported above (see para. 73), ONUSAL received a letter dated 5 May 1994 from the Government indicating that additional financing is now available for the transfer of land to all potential beneficiaries, including the 7,285 non-verified landholders, this will be effective only if it is integrated with agricultural credits and technical assistance for which additional financing is necessary. Other commitments undertaken by the Government in the context of the Peace Accords, such as the payment of financial compensation to demobilized Armed Forces of El Salvador and National Police personnel and credit for housing, still fall short of requirements.

VII. FINANCIAL ASPECTS

96. In its resolution 48/243 of 5 April 1994, the General Assembly, inter alia, authorized the Secretary-General to enter into commitments for ONUSAL in an amount not to exceed $3,895,900 gross ($3,612,300 net) for the period from 1 June to 15 September 1994, subject to the decision to be taken by the Security Council in respect of the Mission. Should the Council decide to continue the mandate of ONUSAL as recommended in paragraph 100 below, I will seek any additional resources required for the operation of the Mission during the extension period.

97. The cash flow situation of the ONUSAL special account remains critical. As at 15 April 1994, unpaid assessed contributions to that account amounted to some $24 million for the period from inception until 28 February 1994. In order to provide the necessary cash flow requirements of the Mission, a total of $9 million has been borrowed from the Peace-keeping Reserve Fund ($6 million) and from other peace-keeping accounts ($3 million). These amounts have not yet been repaid.

VIII. OBSERVATIONS

98. The timetable that forms part of the Chapultepec Accords provided that almost all aspects of the Peace Accords would have been implemented before the new Government emerging from the elections of March/April 1994 assumed office on 1 June 1994. The main exceptions were deployment of the National Civil Police and demobilization of the National Police, which were to be completed later, on 28 July and 31 October 1994 respectively. As to the land transfer programme, it became clear that it would have to be extended into 1995. It was therefore expected that at least a vestigial presence of ONUSAL would be required after 1 June 1994. As is evident from the present report, serious shortcomings in implementation of the Accords mean that on 1 June 1994 much will remain to be done, in spite of all the efforts in recent months to make up for lost time.

99. My concerns on this score were expressed in a letter I addressed to President Cristiani on 15 February 1994. In that letter I touched especially on delays in the programmes relating to public security, land transfer and other aspects of the reintegration of ex-combatants into civil society. I raised these concerns, as well as non-compliance with the recommendations of the Commission on the Truth, in my letter of 28 March to the President of the Security Council (S/1994/361). On 22 April 1994, I received a detailed reply from President Cristiani, in which he assured me, inter alia, of the Government's intention to comply fully with all the pending provisions of the Peace Accords and reaffirmed the irreversibility of the peace process. The President also offered explanations with regard to delays and difficulties experienced in the areas of concern mentioned in my letter to him, as well as in my letter to the President of the Security Council. It is nevertheless clear that the unresolved issues are of such importance as to make it even more necessary for ONUSAL to remain in existence for a further period with sufficient capacity to verify implementation of the outstanding provisions of the Accords and to make its good offices available to help resolve difficulties that may arise in that regard.

100. In this connection, it will be recalled that when the Government of El Salvador and FMLN asked the Secretary-General, in early 1990, to assist them in their efforts to achieve a negotiated solution to their long conflict, they set as goals not only the cessation of the armed confrontation but also the promotion of democracy, unrestricted respect for human rights and the reunification of Salvadorian society through the reintegration of the members of FMLN, within a framework of full legality, into the civil, institutional and political life of the country. 3/ The United Nations was asked to verify compliance with the agreements entered into by the parties. ONUSAL was established by the Security Council in order to conduct this verification and to use its good offices to promote compliance with the agreements, beginning with the San José Agreement on Human Rights of 26 July 1990 (A/44/971-S/21541, annex). The agreements include not only the Peace Accords taken as a whole but also the recommendations of the Commission on the Truth, which are mandatory under the Accords. I believe that the United Nations has a continuing responsibility, notwithstanding the delays that have occurred, to honour its undertaking to verify compliance with the Peace Accords, which were reached in negotiations carried out under its auspices, and that it is therefore necessary to extend the mandate of ONUSAL for a further six months, that is, until 30 November 1994.

101. During this period, I shall continue to reduce the size of ONUSAL as rapidly as implementation of the outstanding agreements permits. The Electoral Division has already been disbanded and the military component, which at its peak had a strength of 368, will be reduced by the end of May from 23 to 12 military observers. The main burden during the coming six months will fall on the core civilian staff in the Chief of Mission's office who are responsible for the all-important land transfer and reintegration programmes, on the Police Division, which has to verify the transfer of functions from the National Police to the National Civil Police throughout El Salvador, and on the Division of Human Rights, which, in addition to its tasks of verification, is already helping the National Counsel for the Defence of Human Rights to build up its capacity to assume responsibility for those functions when ONUSAL is withdrawn. The Chief of Mission's office and the Division of Human Rights will probably have to remain at more or less their current strength (16 and 30 international staff respectively) for the new mandate period, but I have approved a plan that envisages a progressive reduction in the strength of the Police Division from its current 268 to 145 by 1 October 1994. I shall of course keep this matter under constant review.

102. Meanwhile, I appeal to the Government of El Salvador, both the outgoing and incoming administrations, and to all others concerned, to make the effort necessary to ensure that their remaining commitments are implemented with the least possible delay, in order to consolidate peace and prosperity in El Salvador. There are four areas that seem to me to require especially urgent attention:

(a) Agreement on measures to enhance the civilian character of the National Civil Police and to increase its strength;

(b) Accelerated demobilization of the National Police and its completion by the end of 1994, rather than extending it to March 1995; further transfers of

National Police personnel to the National Civil Police, as proposed in the President's letter of 22 April, to be effected only with the concurrence of FMLN, as such transfers are not envisaged in the Peace Accords;

(c) A solution to the pressing problem of human settlements;

(d) Arrangements to ensure that those who have title to land under the land transfer programme also have access to agricultural credit and technical assistance in time for the current planting season.

103. In this critical phase of peace consolidation, I also appeal again to the international community for continued financial support for the peace-related programmes, which are so vital to national reconciliation, democratization and prosperity in El Salvador.

104. The present report unavoidably has highlighted the points where compliance has been lacking or incomplete. This is because the agreed timetable for the implementation process has been delayed and this must be rectified. Yet there have been notable advances, above all in the integration of FMLN into the political life of El Salvador. While the electoral process has shown major defects and these need to be corrected, the elections themselves were completed without violence - a significant achievement. I am confident that I speak for all Member States of the United Nations who have supported the Salvadorian peace process when I commend all the political parties and their leaders who ensured orderly elections. A heavy responsibility now lies upon the majority party, ARENA, and the leading opposition party, FMLN, to maintain their dedication to the political process and to strengthen the institutions of democracy in El Salvador. Only this effort can make possible the consolidation of lasting peace in their country.

105. It is with gratification that I commend the vital roles played by President Alfredo Cristiani and by the leadership of FMLN, headed by Mr. Schafick Handal. It is their strong conviction that arms must be abandoned and national reconciliation embraced that has restored peace to El Salvador. After he hands over his high office on 1 June 1994 to President-elect Calderón Sol, I have no doubt that President Cristiani, as President of ARENA, will not flag in his demonstrated commitment to preserve a lasting peace in his country.

106. In concluding, I wish to express my highest appreciation for the dedication and perseverance of all personnel of ONUSAL, led by my Special Representatives, who have spared no effort to restore hope to the Salvadorian people.

Notes

1/ The report is being submitted after the 1 May deadline with the consent of the Security Council.

2/ The Deputy-Director for Operations, a former army major, resigned on 3 May 1994.

3/ Geneva Agreement, 4 April 1990.

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S/1994/561/Add.1
18 May 1994

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UNITED NATIONS OBSERVER MISSION IN EL SALVADOR

Report of the Secretary-General

Addendum

1. As I indicated in paragraph 96 of my main report (S/1994/561), I wish to inform the Council that the estimated cost of extending the United Nations Observer Mission in El Salvador (ONUSAL) for the six-month period from 1 June to 30 November 1994 would be approximately $14 million. The staffing component of the Mission would include a civilian staff of up to 92 international and 166 locally recruited staff, 12 military personnel and, initially 268 police personnel, who will be reduced to 145 by 1 October 1994. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

2. It would be my recommendation to the General Assembly, should the Council decide to extend the mandate of ONUSAL, that the additional cost relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the ONUSAL special account.

Annex

Cost estimates for the extension of the United Nations Observer Mission in El Salvador for the period from 1 June to 30 November 1994

(In thousands of United States dollars)

		Amount
1.	Military personnel costs	170
2.	Civilian personnel costs	10 500
3.	Premises/accommodation	430
4.	Infrastructure repairs	-
5.	Transport operations	500
6.	Air operations	400
7.	Naval operations	-
8.	Communications	45
9.	Other equipment	20
10.	Supplies and services	250
11.	Election-related supplies and services	-
12.	Public information programmes	-
13.	Training programmes	-
14.	Mine-clearing programmes	-
15.	Assistance for disarmament and demobilization	-
16.	Air and surface freight	-
17.	Integrated Management Information System	-
18.	Support account for peace-keeping operations	685
19.	Staff assessment	1 000
	Total	14 000

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Security Council

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UNITED NATIONS OBSERVER MISSION IN EL SALVADOR

Report of the Secretary-General

Addendum

1. As I indicated in paragraph 96 of my main report (S/1994/561), I wish to inform the Council that the estimated cost of extending the United Nations Observer Mission in El Salvador (ONUSAL) for the six-month period from 1 June to 30 November 1994 would be approximately $14 million. The staffing component of the Mission would include a civilian staff of up to 99 international and 175 locally recruited staff, 19 military personnel and, initially, 236 civilian police personnel, who will be reduced to 161 by 1 October 1994. A breakdown of the estimated cost by main categories of expenditure is provided for information purposes in the annex to the present addendum.

2. It would be my recommendation to the General Assembly, should the Council decide to extend the mandate of ONUSAL, that the additional cost relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States should be credited to the ONUSAL special account.

* Reissued for technical reasons.

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	Total	14 000

UNITED NATIONS **S**

Security Council

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ORIGINAL: FRENCH

LETTER DATED 12 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF BURKINA FASO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of the declaration of the Government of Burkina Faso of 4 May 1994 concerning the situation in Rwanda.

I should be grateful if you would have the text of this declaration circulated as a Security Council document.

(Signed) Gaëtan R. OUEDRAOGO

Annex

Declaration of 4 May 1994 by the Government of Burkina Faso concerning the situation in Rwanda

In the light of the situation of generalized civil war which has existed in Rwanda since 6 April 1994, following the tragic death of the Presidents of Rwanda and Burundi in the murderous attack upon the Rwandese presidential aircraft, and in the light of the ongoing genocide characterized by intolerable and inhuman atrocities, the Government of Burkina Faso expresses its deep concern at the tragic fate imposed on the Rwandese population by the parties to the current conflict in that country.

Deploring the international community's failure to respond appropriately to the Rwandese crisis, the Government of Burkina Faso, in keeping with its policy of peace and tolerance, urgently calls upon all parties to the conflict to come to their senses and make peace unconditionally and without delay and to consolidate that peace by agreeing to sit down at the discussion and negotiation table in the context of the efforts currently being made by the Secretary-General of the Organization of African Unity and the Secretary-General of the United Nations, with the support of the countries friendly to Rwanda.

The Government of Burkina Faso reaffirms that the process of democratization going on throughout Africa and the efforts of the African States for the socio-economic development of our continent will be useless and incapable of attaining their goals unless those actions are carried out by and for the peoples of this continent.

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GENERAL ASSEMBLY
Forty-eighth session
Agenda item 54
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-ninth year

Letter dated 11 May 1994 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 10 May 1994 addressed to you by H.E. Mr. Osman Ertuğ, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of that letter and its annex, which contains a letter dated 4 May 1994 sent to you by Mrs. Gülten O. Feridun, Vice-President of the Turkish Cypriot Women's Association, could be circulated as a document of the General Assembly, under agenda item 54, and of the Security Council.

(Signed) İnal BATU
Ambassador
Permanent Representative

Annex

Letter dated 10 May 1994 from Mr. Osman Ertuğ

I have the honour to enclose herewith copy of a letter dated 4 May 1994, addressed to you by Mrs. Gülten Feridun, Vice-President of the Turkish Cypriot Women's Association, which is in response to a previous letter dated 8 April 1994 addressed to you by the Greek Cypriot representative (A/48/924-S/1994/413).

I would be grateful if the present letter and its annex were circulated as a document of the General Assembly, under agenda item 54, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

Appendix

I would like to refer to the "message of struggle" issued by Greek Cypriot women, which has been circulated as document A/48/924-S/1994/413 dated 11 April 1994 by the Greek Cypriot delegation to the United Nations, and to respond to some of the allegations contained in that message, with a view to putting the record straight.

It is not totally surprising that the Greek Cypriot side has seized the occasion of International Women's Day to repeat the well-known accusations against the Turkish Cypriots and Turkey, as it has been part and parcel of Greek Cypriot policy for decades to conduct a merciless vilification campaign against the Turkish Republic of Northern Cyprus in all international forums. This incessant campaign has not only been an attempt to misrepresent the historical facts behind the Cyprus dispute, but has also demonstrated the inherent hostility of the Greek Cypriots towards the Turkish Cypriot people and their utter disregard for the legitimate rights and aspirations of the Turkish Cypriots.

The message issued by Greek Cypriot women is replete with false accusations regarding "occupation", "violation of human rights", "oppression of the enclaved", etc. An appeal is also included in the message for securing the "withdrawal of Turkish troops" from the island.

As it is well known, on 15 July 1974, a coup d'etat was staged by Greece and its collaborators in Cyprus in order to annex the island to Greece and eliminate the Turkish Cypriot people in Cyprus. In the face of this imminent danger, Turkey intervened militarily on 20 July 1974 in accordance with its rights and obligations set out by the 1960 Treaty of Guarantee with a view to protecting the Turkish Cypriots and averting the annexation of the island by Greece. The 1974 peace operation by Turkey saved the island from being colonized by Greece and liberated Turkish Cypriots from Greek Cypriot terror and inhuman treatment which continued for 11 years, between 1963 and 1974.

The issues of refugees and missing persons has also been the subject of exploitation for propaganda purposes. There is, of course, no mention of the 1963-1974 period when hundreds of Turkish Cypriots were killed by the Greek Cypriot paramilitaries and a quarter of the Turkish Cypriot population (some 30,000 people) was rendered homeless. Hundreds more were abducted or subjected to enforced disappearance, never to be seen or heard of again. Until 1974, even the basic human rights and freedoms of the Turkish Cypriots were violated by the Greek Cypriot administration. Severe restrictions were imposed on the Turkish Cypriot enclaves. As for the question of missing persons, I need not remind you that the short-lived coup of 1974 engineered by Greece took the lives of thousands of Greek Cypriots as a result of the fighting between opposing factions. It has been estimated that over 5,000 Greek Cypriots were killed, not during the Turkish intervention, but during the coup itself. As it will be clearly observed from the following extracts taken from the statement of the then Greek Cypriot leader Archbishop Makarios before the Security Council on 19 July 1974, just one day before the 1974 Turkish peace operation, the death

toll was very high and both the Greek Cypriots and Turkish Cypriots suffered from the coup:

> "I do not know as yet all the details of the Cyprus crisis caused by the Greek military regime. I am afraid that the number of casualties is large and that the material destruction is heavy ... It is clearly an invasion from outside ... The so-called coup was the work of the Greek officers staffing and commanding the National Guard ... The Turks of Cyprus are also affected. The coup of the Greek junta is an invasion, and from its consequences the whole people of Cyprus suffers, both Greeks and Turks ..." (S/PV.1780)

The allegation that the Greek Cypriot residents in Northern Cyprus were forced to leave their homes and lands is totally unfounded. While it is true that many Turkish Cypriots, as well as Greek Cypriots, were displaced as a result of the Greek Cypriot coup and its aftermath, out of fear, as is well known, it is also equally true that the question of displaced persons was settled by the agreement on exchange of populations between the two sides in 1975, where the two sides agreed on a voluntary regrouping of populations in their own respective territory.

Furthermore, the allegation that the so-called "enclaved" Greek Cypriots in the North are living under "oppressive conditions" is ludicrous. Greek Cypriots living the Karpaz region of Northern Cyprus fully enjoy human rights and have unhindered access to medical, educational and religious services. The United Nations Peace-keeping Force in Cyprus (UNFICYP) continuously discharges its humanitarian functions for these people and, if there is a request for permanent transfer to the South, they verify that their transfer to the South is voluntary.

That the living conditions of the Greek Cypriots in the North are in no way different than that of the Turkish Cypriots is testified to in the relevant reports of the Secretary-General.

The Turkish Cypriot women support a just and permanent solution in Cyprus, based on the political equality of the two peoples, to be mutually negotiated between the representatives of the two peoples. We believe that, if the Greek Cypriot side is also ready for such a settlement, it should then take steps that demonstrate willingness on its part.

For the sake of rapprochement between the two peoples and an early political settlement in this island, the Turkish Cypriot Women's Association would like to appeal once again to you to urge the Greek Cypriot side to discontinue its vilification campaign against the Turkish Republic of Northern Cyprus in all international forums.

(Signed) Gülten O. FERIDUN
Vice-President of the Turkish
Cypriot Women's Association

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NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication which he has received from the Director General of the International Atomic Energy Agency (IAEA).

Annex

Letter dated 10 May 1994 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

I have the honour to transmit herewith a report on the high-level talks between the International Atomic Energy Agency (IAEA) and Iraq held in Vienna from 9 to 10 May 1994. I should be most grateful if you could issue instructions for its circulations as a document of the Security Council.

(Signed) Hans BLIX
Director General

Appendix

Joint statement issued at the conclusion of high-level technical talks held in Vienna from 9 to 10 May 1994

1. From 9 to 10 May, discussions were held in Vienna between Iraq and the International Atomic Energy Agency (IAEA) in the first part of the seventh round of high-level technical talks on the implementation of the plans of the IAEA and of the United Nations Special Commission for ongoing monitoring and verification in Iraq. Mr. Tariq Aziz, Deputy Prime Minister of Iraq, met with Mr. Hans Blix, Director General of the IAEA, and the Leader of the IAEA Action Team, Mr. Maurizio Zifferero. These talks were a continuation of the process begun in July 1993 during the visit to Baghdad of the Executive Chairman of the Special Commission.

2. The actions taken to date in phasing in many elements of the IAEA's plan for ongoing monitoring and verification were reviewed. During the past several months Iraq had provided to the IAEA extensive cooperation and both sides agreed that this had contributed significantly to the phasing in of these elements. Confidence was expressed that continued cooperation would contribute as well to the implementation of the remaining elements within the schedule envisaged during the March 1994 talks.

3. The importance of the establishment in the Middle East of a zone free from weapons of mass destruction, as referred to in paragraph 14 of Security Council resolution 687 (1991) was stressed by both sides. The Director General stated that the IAEA was doing its very best to advise States which may negotiate such an agreement, about the Agency's expertise in the field of verification and about the modes of verification which might be employed.

4. Discussions took place on the status of technical cooperation in the areas of medical and agricultural applications of radioisotopes and radiation and the IAEA undertook to reevaluate the extent of such technical cooperation that would be appropriate in the context of the relevant Security Council resolutions.

5. More detailed follow-up discussions were also held with a view to resolving specific outstanding issues. The Iraqi side reiterated its readiness to assist the IAEA in such matters.

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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN RWANDA

I. INTRODUCTION

1. The present report is submitted in response to the letter of the President of the Security Council of 6 May 1994 (S/1994/546), requesting me to provide indicative contingency planning with regard to the delivery of humanitarian assistance as well as support to displaced persons in Rwanda.

2. It will be recalled that the resumption of the civil conflict following the tragic events of 6 April 1994, and the ensuing violence and massacres, created a situation that called into question the ability of the United Nations Assistance Mission for Rwanda (UNAMIR) to carry out its mandate under Security Council resolution 872 (1993) of 5 October 1993. Hence, with Council resolution 912 (1994), adopted on 21 April 1994, the Security Council authorized the adjustment of UNAMIR's mandate (a) to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire; (b) to assist in the resumption of humanitarian relief operations to the extent feasible; and (c) to monitor and report on developments in Rwanda, including the safety and security of the civilians who sought refuge with UNAMIR. In compliance with resolution 912 (1994), the force was sharply reduced, and now stands at 444, all ranks, in Rwanda, and 179 military observers at Nairobi pending repatriation or redeployment to the Mission. Reductions to the authorized level have been suspended pending the outcome of the ongoing consideration by the Council.

3. The situation in Rwanda remains highly unstable and insecure, with widespread violence. Combat between the Rwandese government forces and the Rwandese Patriotic Front (RPF) continues, even though both the Rwandese government forces and RPF have separately expressed their readiness to enter into a cease-fire. The Rwandese government forces controls the west and south-western parts of Rwanda, while RPF is in control of the northern and eastern parts of the country, as well as areas in the south-east. The capital, Kigali, is divided between the Rwandese government forces and RPF, but the front line is fluid and changing as military actions continue. The Rwandese government forces continue to control the airport but hostilities in its vicinity interrupt its operations from time to time. Armed militia and other unruly elements continue to operate, although less frequently than at the beginning of the conflict, killing and terrorizing innocent civilians. It is estimated that nearly 2 million persons have been displaced, seeking safer places within Kigali, in

various regions of the country and in border areas in neighbouring countries, principally the United Republic of Tanzania. Under these conditions, a major humanitarian crisis has developed.

II. POLITICAL ASPECTS

4. In accordance with resolution 912 (1994), and in support of the efforts of the Organization of African Unity (OAU), the United Republic of Tanzania, in its capacity as the facilitator of the Arusha peace process, and other interested parties, my Special Representative, Mr. Jacques-Roger Booh-Booh, and the UNAMIR Force Commander, Major-General Romeo Dallaire, have undertaken, both inside Rwanda and at Arusha, all possible efforts since the resumption of the conflict to bring about a cease-fire agreement between the parties. Unfortunately, their efforts have been of no avail, but they are determined to persevere. Obviously, a cease-fire agreement is the first step in establishing a stable and secure environment in the country, thus allowing the organized, coordinated and secure delivery of humanitarian assistance and the reactivation of the Arusha peace process. In the prevailing conditions, however, it is essential that the United Nations consider what measures it can take even before a cease-fire is achieved.

III. HUMANITARIAN ASPECTS

5. Given the pace of developments and the security situation, it has not been possible to assess accurately the humanitarian situation in Rwanda. However, early reports indicate that there are 250,000 displaced persons in the north, 65,000 in the east, and 1,200,000 in the south and south-west. Although there are some concentrations, the internally displaced appear to be widely scattered. At Kigali itself, some 30,000 displaced persons have taken refuge in public places and religious sanctuaries, where they are running out of food, water and basic medical supplies. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that 80,000 of the original 272,000 refugees from Burundi have remained in Rwanda. This situation is complicated by the fact that, prior to the war, some 1.2 million drought-affected people in the south who required emergency food assistance had been identified. In neighbouring countries, the Rwandese refugee population is estimated at more than 300,000, and UNHCR reports that as many as 1,500 refugees continue to arrive daily in the United Republic of Tanzania. It is most important that the basic humanitarian needs of these populations are met as soon as possible.

6. The Department of Humanitarian Affairs of the Secretariat has established the United Nations Rwanda Emergency Office (UNREO), in collaboration with the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), UNHCR, the World Food Programme (WFP), the World Health Organization (WHO) and the Food and Agriculture Organization of the United Nations (FAO). The office, temporarily located at Nairobi, has overall responsibility for coordinating humanitarian relief activities, including the prepositioning of relief supplies. Close coordination with the non-governmental organizations (NGOs), other international organizations and bilateral donors concerned is an essential part of the work of the office. An advance humanitarian assistance team has been positioned at Kigali to work with UNAMIR in carrying out

humanitarian operations and to advise in the expansion of activities where the situation permits. Other sub-offices in Rwanda or neighbouring countries are envisaged. A "flash" appeal covering immediate emergency assistance needs totalling about $16 million was issued on 25 April 1994.

7. In spite of the difficulties, limited emergency operations have been initiated. For example, medical and nutritional supplies from UNICEF have been distributed in Kigali. WFP has been able to deliver more than 500 tons of food in the north and 840 tons in the south. Currently, three NGOs are active in Rwanda. Médecins sans Frontières is active in the north and Médecins du Monde is active in the south. The International Committee of the Red Cross (ICRC) has remained without interruption in Rwanda, focusing on emergency medical care and carrying out food deliveries in the north and south and in Kigali. UNAMIR has assisted in the delivery of food and other relief supplies to displaced persons in the Kigali area and has provided security for the activities of the advance team and NGOs. UNHCR is responding to the needs of refugees in neighbouring countries.

8. The United Nations humanitarian organizations, in consultation with UNAMIR and ICRC, have agreed on the following principles, which should serve as the basis for humanitarian operations in Rwanda:

(a) Ensuring the security of relief staff (both national and international), the beneficiaries of relief assistance and of the relief materials themselves;

(b) Joint identification by the responsible authorities and the respective United Nations humanitarian organizations of distribution sites;

(c) Clear identification of interlocutors from the side of the authorities for the humanitarian aid organizations to liaise with regarding humanitarian operations, both at a central level as well as at the field level;

(d) Acceptance by the responsible authorities of the monitoring and reporting responsibilities of the United Nations organizations regarding the distribution and use of relief materials;

(e) An understanding that aid should be provided based on need, regardless of race, ethnic group, religion or political affiliation.

9. These principles have been submitted to the Rwandese government forces and RPF authorities for approval. The Rwandese government forces have formally notified the Humanitarian Coordinator of its agreement. RPF has also agreed to these principles.

10. While it is too early to present fully developed operational plans for the distribution of humanitarian assistance in Rwanda, the basic effort will be to respond to the urgent needs of all affected persons in all parts of the country whenever conditions so permit. With the consent of appropriate authorities in neighbouring countries, it is envisaged that extensive cross-border operations will be utilized to transport relief supplies. The detailed operational plans will take into account the need to avoid, as far as possible, further

displacement of the population. The objective will be to deliver assistance to the distressed in their existing locations, provided that these sites can be made secure.

IV. CONCEPT OF OPERATIONS

11. In his letter of 6 May 1994 (S/1994/546), the President of the Security Council informed me that, in view of the unabated hostilities and killings taking place in Rwanda, urgent and effective means of action must be considered. This would require that the Council decide upon an expanded mandate under which UNAMIR would support and provide safe conditions for displaced persons and other groups in Rwanda who have been affected by the hostilities or are otherwise in need, and assist in the provision of assistance by humanitarian organizations. The efforts of UNAMIR in this regard would be coordinated with those of the humanitarian organizations operating in Rwanda and/or engaged in assisting Rwandese refugees in neighbouring countries. The mission, as it would function under this amended mandate, is referred to herein as UNAMIR II.

12. UNAMIR II would provide security assistance to humanitarian organizations in their programmes for distribution of relief supplies. UNAMIR II would establish access to sites where displaced and other affected persons are concentrated and could assure their protection. Such protected sites would include areas inside Rwanda along the border with neighbouring States where refugees and displaced persons are concentrated. All protected sites would be patrolled and monitored by UNAMIR II, in cooperation with the local authorities wherever possible. At the same time, UNAMIR II would devote equal attention to the needs of displaced persons in the interior of the country and would provide escorts to relief convoys and security to United Nations installations there.

13. UNAMIR II would monitor border crossing points as operationally required, as well as the deployment of the parties in conflict, in order to assure the effective conduct of UNAMIR II operations.

14. Kigali airport is the most practical point of entry into the country and is therefore important for the induction of personnel, equipment and humanitarian relief goods. The parties would be expected to establish the airport as a "neutral zone" under the exclusive control of the United Nations before commencement of the deployment of the expanded force. However, if continued fighting prevents this, UNAMIR II would use other points of entry and resupply, such as secondary airstrips within the country. In addition, UNAMIR II would establish lines of communication, deployment and supply routes by land through neighbouring countries, particularly for the resupply of those protected sites located on Rwanda's borders.

A. Rules of engagement

15. UNAMIR II's rules of engagement do not envisage enforcement action. The Mission would depend primarily on deterrence to carry out its tasks. However, UNAMIR II may be required to take action in self-defence against persons or groups who threaten protected sites and populations and the means of delivery and distribution of humanitarian relief.

B. Force structure

16. In order to execute its mandate, UNAMIR II must be composed of a credible, well-armed and highly mobile force. The size of the force is determined also by the size and terrain of the area of operation, which is land-locked, difficult and mountainous with very limited infrastructure. With these criteria, it is estimated that a minimum viable force of approximately 5,500 troops, including 5 infantry battalions, will be required to carry out the tasks described above. Readjustment of the size of the force may be necessary as the situation evolves.

17. The composition of the force would therefore include:

(a) A force headquarters of approximately 219 personnel, built around the nucleus of the present headquarters, would include a supporting military signals/communication squadron. The force headquarters would continue to operate at Kigali;

(b) Five battalions (approximately 4,000 personnel) comprising two mechanized battalions and three motorized battalions, each of which would have a mechanized company;

(c) A force support battalion of approximately 721 personnel, which would provide logistical, maintenance, and medical service, and would include an engineer company capable of undertaking tasks such as mining clearance, bomb disposal and the rehabilitation of essential roads, bridges and the other infrastructure, as required by UNAMIR II to carry out its mandate;

(d) A helicopter squadron of approximately 110 personnel and 16 helicopters;

(e) A military police force of approximately 50 personnel would provide internal force security;

(f) A military observer group of 320 officers would conduct the humanitarian security monitoring, liaison and escort-duty tasks throughout the area of operation, including at the border areas if necessary;

(g) A force of 90 United Nations civilian police would be deployed in a similar fashion to the military observers, but would be dedicated to maintaining liaison with the local civilian authorities on matters relating to public security.

C. Deployment schedule

18. The deployment of UNAMIR II would be conducted in three phases, subject to the timely availability of the necessary troops, equipment and airlift. "D-Day" is the date on which the Security Council resolution would be adopted authorizing the expanded mandate of UNAMIR II.

19. Phase 1 (D-Day + 7). The Ghanaian battalion would be brought to its full strength of 800 personnel and equipped with armoured personnel carriers. This unit would ensure the protection of Kigali International Airport, as well as other sites in the city, where thousands of displaced persons have sought refuge under UNAMIR protection. This battalion would also subsequently act as the force reserve.

20. Phase 2 (D-Day + 14). Deployment of two battalions (one mechanized and one motorized), some advance elements of the support battalion and all of the force headquarters and signal squadron. These troops would be deployed where the security situation is of greatest concern and where there is the highest concentration of displaced persons, including at border areas if necessary.

21. Phase 3 (D-Day + 31). Induction of the rest of the force support battalion and two other infantry battalions. The rest of the support battalion would establish logistic and engineer advance bases in the Ruhengeri, Byumba and Butare prefectures in order better to serve the field force. The two infantry battalions would be deployed to certain specific areas of the country in order to provide the necessary support and assistance to people in need in these areas and provide security arrangements to humanitarian assistance programmes.

D. Logistics

22. The deployment and logistical support of a force of 5,500 under the schedule described above is a difficult undertaking. In addition, Rwanda is a land-locked country with only one major airport (Kigali) and three secondary airports. Land movement between regional seaports (Mombasa, Dar es Salaam) and Rwanda requires several days in the best of conditions. It is therefore essential to deploy self-sufficient military contingents capable of operating independently, while logistical support is put in place by the United Nations. The concept of operations calls for the first three units to be moved by air, requiring military and commercial strategic airlift, that is, up to 10 passenger flights and 40 cargo flights (C-5A aircraft). The remainder of the force and its material would be transported by sea and air as soon as technically possible.

23. Because of the need to stabilize the security situation in Rwanda as quickly as possible, deployment of UNAMIR II will have to be carried out rapidly. The longer the delay in the deployment of the force from the time of a Security Council decision, the greater the prospect of the mission not achieving its purpose in operational terms.

24. The most rapid deployment would be achieved with two formed infantry brigades with their integral logistical support. If formed brigades cannot be made available, it would be necessary to draw on the recent United Nations stand-by arrangements, but specific contributions for this Mission must still be negotiated. It is estimated that this process would require one to two months. Simultaneously with stand-by arrangements, the traditional method of requesting Governments for military forces would be used. Experience shows that it would take at least two to three months to achieve full deployment of forces. If forces are accepted without adequate equipment, experience shows that a further delay of several months would be incurred in providing the necessary equipment for those forces. It is therefore essential that Member States agree to make arrangements on a bilateral basis to provide the troops, equipment and airlift required for UNAMIR II.

E. Command and control

25. UNAMIR II would be headed by the Special Representative of the Secretary-General, who would have overall authority for all the activities of the Mission. The military component of the Mission would be commanded by the Force Commander. The present UNAMIR force headquarters would be expanded as indicated in paragraph 17 (a) above and would remain located at Kigali. Battalions would be deployed to designated regions or sectors in accordance with the modus operandi described in paragraphs 19 to 21 above. Battalion commanders would act as sector commanders within their assigned regions, under the direction of the Force Commander. The military signal unit would establish communications between the force headquarters, battalion headquarters and other designated units as necessary.

V. FINANCIAL ASPECTS

26. The cost associated with the deployment of the force described above would be approximately $115 million for a six-month period (see annex). It would be my recommendation to the General Assembly that the costs would be considered an expense of the Organization in accordance with Article 17, paragraph 2, of the Charter of the United Nations and the assessments would be levied on Member States and be credited to the UNAMIR special account.

VI. OBSERVATIONS

27. The solution to the crisis in Rwanda must, in my judgement, be found through implementation of the Arusha agreement, which both sides say that they accept. For this to be achieved, it is clearly necessary that a cease-fire be agreed and put into effect at the earliest possible date. I have instructed my Special Representative and the Force Commander to continue to give the highest priority to the pursuit of both objectives. The Security Council may wish to issue another urgent call for the parties to agree to a cease-fire and, even before it comes into effect, to accept the designation of Kigali airport as a neutral zone under the exclusive control of the United Nations.

28. Meanwhile, there is an urgent requirement for the United Nations to increase its efforts to address the desperate humanitarian crisis created by the conflict. I welcome the idea that protected sites should be established close to Rwanda's borders with Burundi and the United Republic of Tanzania in order to facilitate the provision of relief to displaced persons who are already present in those areas. But I believe that it is essential that any such initiative should be matched by action to assist persons in need in the interior of Rwanda. These outnumber, by a factor of five, the displaced persons who are in the border areas or have already crossed into neighbouring countries. To concentrate the international community's efforts on the latter would be to address only a small part of the problem. Moreover, there would be a risk that protected sites in the border areas would act as a magnet to people in need in the interior of the country and would therefore increase even further the number of displaced persons.

29. Expanded humanitarian operations, both in the border areas and in the interior, would also clearly be facilitated by a cease-fire, which would contribute immeasurably to the effective and secure distribution of relief supplies. However, if a cease-fire is not in place by the time the expanded force is deployed, my Special Representative and the Force Commander will continue to pursue this objective as the force is being put in place. I met with my Special Representative in Paris today and encouraged him to continue his efforts with a view to achieving a cease-fire agreement as soon as possible.

30. As noted above, should UNAMIR II need to initiate deployment and resupply through neighbouring States, the Mission would require the active support of those States. UNAMIR II would also require the cooperation and support of the Rwandese parties. In this connection, I should like to note that my Special Representative and the Force Commander have presented the concept outlined herein to both the Rwandese government forces and RPF. I am encouraged by their initial positive responses. I have asked my Special Representative and the Force Commander to obtain confirmation from both parties of their support to this operation without preconditions.

31. The world community has witnessed with horror and disbelief the slaughter and suffering of innocent civilians in Rwanda. While the chances for a lasting peace are fundamentally in the hands of the political and military leaders of the country, the international community cannot ignore the atrocious effects of this conflict on innocent civilians. I therefore recommend to the Security Council that it approve the phased expansion of UNAMIR, as described above, to enable the Mission immediately to help alleviate the humanitarian crisis in Rwanda. The mandate for UNAMIR II should be for a period of six months from the date of initial deployment, on the understanding that it would be reviewed by the Council as necessary and, in particular, following an agreement on a cease-fire.

32. In concluding, I must again emphasize that in order for UNAMIR II to attain its objective, there can be no delay in its deployment.

33. I would like to express my deep gratitude to my Special Representative, the UNAMIR Force Commander, and all UNAMIR personnel, for their outstanding performance in the pursuance of UNAMIR's mandate under the extremely dangerous conditions in Rwanda.

Annex

United Nations Assistance Mission for Rwanda

Summary cost estimate for the deployment of approximately 5,500 troops for a six-month period

(In thousands of United States dollars)

		Amount
1.	Military personnel costs	60 100
2.	Civilian personnel costs	11 100
3.	Premises/accommodation	1 300
4.	Infrastructure repairs	700
5.	Transport operations	6 000
6.	Air operations	8 600
7.	Naval operations	-
8.	Communications	3 100
9.	Other equipment	4 500
10.	Supplies and services	4 500
11.	Election-related supplies and services	-
12.	Public information programmes	300
13.	Training programmes	-
14.	Mine-clearing programmes	500
15.	Assistance for disarmament and demobilization	-
16.	Air and surface freight	12 000
17.	Integrated Management Information System	-
18.	Support account for peace-keeping operations	800
19.	Staff assessment	1 500
	Total	115 000

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LETTER DATED 28 APRIL 1994 FROM THE SECRETARY-GENERAL TO THE PRESIDENT OF THE SECURITY COUNCIL

I wish to bring to the Security Council's attention my concern over the financial emergency which the United Nations Compensation Commission is facing after almost three years of intensive work to fulfil its mandate.

In a letter dated 24 March 1994, the President of the Commission's Governing Council informed me that the Commission had sufficient funds to pay approximately $4 million in awards for compensation of individual claims expected to be approved in May 1994, but no funds to pay the second group of awards, amounting to over $200 million, that are to be issued in September and October 1994. A similar letter was addressed to the President of the Security Council (S/1994/366).

I need not underscore the negative effects that this state of affairs will have on the credibility of the compensation operation, on the authority of the relevant United Nations bodies and on the situation of millions of anxious claimants. The Security Council, which established the Compensation Commission as one of its subsidiary organs and defined its mandate, may therefore want to consider how it could enable the Commission to accomplish the mission entrusted to it.

For my part, I have taken every opportunity to urge the Government of Iraq to accept the Council's offer of a limited sale of oil as described in resolutions 706 and 712 (1991) and in the decision taken by the Security Council Committee established by resolution 661 (1990) at its 51st meeting on 15 October 1991. In addition to providing funds for Iraq's humanitarian needs, such a sale would allow the Compensation Fund to continue to pay awards to those who have suffered losses as a result of Iraq's invasion of Kuwait.

Pursuant to Security Council resolution 778 (1992), I have also requested Member and Observer States of the United Nations to provide me with all the information necessary to identify funds derived from the sale of Iraqi petroleum or petroleum products and to ascertain the whereabouts and amounts of any such products currently under their jurisdiction. As you know, 30 per cent of oil-related funds deposited to the escrow account was to be designated for the Compensation Fund.

Out of 66 Member and Observer States who responded to my request, 61 stated that they held no petroleum or petroleum products or frozen assets subject to the provisions of resolution 778 (1992); two declared that they held funds which would be used to meet Iraq's debts; and three stated that they held funds that came under resolution 778 (1992), portions of which were subsequently deposited to the escrow account.

As of 19 April 1994, a total of $243.35 million had been deposited in the United Nations escrow account, of which $158.59 million represented Iraqi frozen oil assets or proceeds from the sale of oil. Of this amount $47.58 million was designated for the Compensation Fund. An additional $84.76 million had been contributed to the escrow account by a number of Member States who earmarked their deposits for specific United Nations activities in Iraq. Of that sum $6 million had been transferred to the Compensation Fund.

I should like to recall that paragraph 2 of resolution 778 (1992) provides that all States in which there are petroleum or petroleum products owned by Iraq shall take steps to purchase or arrange for the sale of such products, the proceeds of which are to be transferred to the escrow account as soon as possible. The Security Council may wish to consider exploring ways in which funds may still be obtained for the Compensation Fund from such sources including Iraq's petroleum and petroleum products that were in some countries after the embargo and were impounded, sold or used months after the adoption of resolution 778 (1992).

During the weeks immediately preceding the imposition of sanctions by the Security Council, Iraq exported substantial volumes of oil for which payment would not have been completed when the sanctions took effect on 6 August 1990. While I have no independent information on the size of the sums which would have been due to Iraq for such shipments, reports from oil industry sources suggest that this amounts to hundreds of millions of dollars. Since the oil industry might be better equipped than Governments to track and locate the corresponding funds, I would be prepared, should the Council wish me to do so, to seek from oil companies information which would make it possible to identify these funds and arrange their transfer to the escrow account.

Given the scant time before resources of the Compensation Fund are depleted, I would urge the Security Council to consider acting swiftly to facilitate the transfer to the Fund of Iraqi oil-related frozen funds or proceeds from the sale of oil. This would allow the Compensation Commission to render the quick and effective justice to the victims of Iraq's invasion of Kuwait which the Council has mandated it to provide.

(Signed) Boutros BOUTROS-GHALI

UNITED
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Security Council

Distr.
GENERAL

S/1994/567
13 May 1994

ORIGINAL: ENGLISH

LETTER DATED 11 MAY 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Council have considered your letter of 28 April 1994 relating to the financial emergency of the United Nations Compensation Commission (S/1994/566). The members of the Council share the concerns expressed in your letter, and agree with the proposal in your letter, while requesting you to keep the States concerned duly informed of your démarches.

(Signed) Ibrahim A. GAMBARI
President of the Security Council

94-21603 (E) 130594 15/05/94

UNITED
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Security Council

Distr.
GENERAL

S/1994/568
13 May 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 12 MAY 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, and with reference to the letter dated 5 May 1994 from the Permanent Representative of Kuwait to the United Nations addressed to the President of the Security Council (S/1994/543), I have the honour to inform you of Kuwait's violations of the provisions of the cease-fire and of the instructions relating to the demilitarized zone:

On 26 April, at 0600 hours, three armed Kuwaiti boats attacked a group of Iraqi fishermen who were fishing in the Zubayr canal at coordinates 9122, opening fire in their direction. They then surrounded them and bound their hands and blindfolded them before boarding them onto the Kuwaiti boats in which they took them to the Kuwaiti coast guard station at Salimiyah. Below is a list of the names of the 17 fishermen who were apprehended together with their boats:

1. Riyad Muhammad al-Sayyid
2. Hani Haydar Sharhan
3. Salim Muhsin Abd al-Rida
4. A'il Muhsin Abd al-Rida
5. Abd al-Zahrah Yahya Ya'qub
6. Riyad Muhsin Abd al-Rida
7. Ali Hamzah Husayn
8. Qasim Hamzah Husayn
9. Abd al-Zahrah Abd al-Kazim Samawa
10. Abd al-Rida Abd al-Husayn Samawa
11. Kazim Hasan Matar
12. Laftah Abd al-Karim Abd al-Rida
13. Subhi Kazim Laftah
14. Rabi' Kazim Laftah
15. Riyad Farhan Sandal
16. Shabut Abd Allah Faraj Allah
17. Hazim Muhammad Sa'd Sandal

The Kuwaitis interrogated and tortured them. They freed them on 7 May 1994 after the International Committee of the Red Cross and the United Nations Iraq-Kuwait Observer Mission (UNIKOM) intervened.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/569
13 May 1994

ORIGINAL: ENGLISH

LETTER DATED 13 MAY 1994 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit the attached letter from my President, Mr. Alija Izetbegovic addressed to Your Excellency.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Ivan Z. MISIC
Deputy Permanent Representative

Annex

Letter dated 12 May 1994 from the President of the Presidency of the Republic of Bosnia and Herzegovina addressed to the Secretary-General

There are essential moral and political reasons for the inclusion of a representative of the Organization of Islamic Conference within the newly established Contact Group.

I take this opportunity to remind you that the Organization of Islamic Conference was a participant in the London Conference in 1992, when the key principles to the approach to resolving the Yugoslav crisis in the spirit of general principles of the international community were agreed upon.

I am convinced that the Contact Group also, will have to take into consideration the resolutions of the London Conference, because such principles have been confirmed during all previous multilateral agreements on the Republic of Bosnia and Herzegovina.

Truth is the most powerful weapon in our defence, and justice is our utmost hope.

For these reasons, I kindly ask you to use your authority to support our proposal to adopt the Organization of Islamic Conference as the fifth, equal participant in tomorrow's as well as of all proceeding negotiations on the future of the Republic of Bosnia and Herzegovina.

(Signed) Alija IZETBEGOVIC

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General Assembly
Security Council

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A/49/160
S/1994/570
13 May 1994
ENGLISH
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GENERAL ASSEMBLY
Forty-ninth session
Item 72 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-ninth year

Letter dated 9 May 1994 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the faxed message addressed to you by His Majesty Norodom Sihanouk, King of Cambodia, on 7 May 1994 (see annex).

I should be grateful if you would have this letter and its annex circulated as an official document of the General Assembly, under item 72 of the preliminary list, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative

* A/49/50/Rev.1.

94-21675 (E) 160594 160594 16/05/94

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ANNEX

Letter dated 7 May 1994 from the King of Cambodia addressed to the Secretary-General

In recent weeks, the situation in Cambodia has deteriorated to a dangerous degree. Increasingly violent and murderous military clashes are taking place between the Khmer Royal Armed Forces and armed elements from the Democratic Kampuchea Party (Khmer Rouge).

This rise in hostilities has serious consequences, both because of the material damage which it is causing, towns and villages bombarded and set on fire, crops pillaged or destroyed, roads, bridges and railways destroyed following reconstruction, planting of new mines, etc., and through losses of human lives, an increasing number of seriously wounded persons, etc.

Tens of thousands of inhabitants in distress are condemned to flee the combat zones, and they serve to swell the ranks of the refugees repatriated by the Office of the United Nations High Commissioner for Refugees, more than 84 per cent of whom are still reliant on international food aid.

The extension of insecurity imperils the very existence of our foreign friends, several of whom have been ransomed or taken hostage. Some embassies have summoned members of non-governmental organizations or other associations working in regions that are threatened or at risk to fall back on Phnom Penh.

In vain, from my Beijing hospital bed and then since my return to Cambodia, I have launched many solemn appeals for a cease-fire and have proposed a round table for peace and national reconciliation in neutral territory from 2 to 7 May 1994.

The Royal Government of Cambodia has responded favourably to these proposals. The Kampuchea Democratic Party (Khmer Rouge) has confirmed its agreement in principle but nevertheless sets conditions.

In view of the limited powers vested in me by the Constitution, I feel that I have done the maximum to put an end to this conflict that has lasted too long, endangers life, even the mere survival of hundreds of thousands of my fellow countrymen, innocent civilians, compromises the efforts made by the international community to assist in the rehabilitation and reconstruction of Cambodia and presents, once again, the grave threat of an actual partition of my country and its decline towards death as a state and a nation.

These mounting perils, which threaten the stability of the fragile balance laboriously worked out in our South-East Asian region, prompt me to request your advice and opinion with regard to the provisions of the Paris Agreements and the special responsibilities of the United Nations in their implementation and application.

(Signed) Norodom SIHANOUK